

# Traffic Bench Guide



September 2013  
4th Edition

# Foreword

Since the third edition of this bench guide was published, there have been a number of legislative changes that affect traffic offenses. Among others, there have been significant changes in the requirements for ignition interlock devices and alcohol related offenses.

This booklet was designed with the intent of providing a quick reference manual for the use of judges, prosecutors and lawyers.

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## EXPLANATION OF TERMS

ROC?	Indicates that the record of conviction is reportable to DOR, * indicates reportable if involving a motor vehicle
FCC	Fine Collection Center
CDL	Commercial Drivers License impact. <i>See</i> CDL section for impact of serious traffic violation

## FINES FOR MISDEMEANORS AND INFRACTIONS

For a class A misdemeanor	not to exceed one thousand dollars;
For a class B misdemeanor	not to exceed five hundred dollars;
For a class C misdemeanor	not to exceed three hundred dollars;
For an infraction	not to exceed two hundred dollars.

## AUTHORIZED TERMS OF IMPRISONMENT

For a class A felony	a term of years not less than ten years and not to exceed thirty years, or life imprisonment;
For a class B felony	a term of years not less than five years and not to exceed fifteen years;
For a class C felony	a term of years not to exceed seven years;
For a class D felony	a term of years not to exceed four years;
For a class A misdemeanor	a term not to exceed one year;
For a class B misdemeanor	a term not to exceed six months;
For a class C misdemeanor	a term not to exceed fifteen days.

# **CHARGES**

**For any moving violation, as defined in Section 302.010 RSMo, or offense listed in Section 302.302 RSMo that occurs in a construction or work zone assess an additional fine of \$35.00 for a first offense and \$75.00 for a second or subsequent offense.**

**For any moving violation, as defined in Section 302.010 RSMo, or offense listed in Section 304.892 RSMo, (2013) that occurs in an active emergency zone assess an additional fine of \$35.00 for a first offense and \$75.00 for a second or subsequent offense.**

**For any speeding violation, as defined in Sections 304.009 or 304.010 RSMo, or passing violation, as defined in Section 304.892.3 RSMo, (2013) that occurs in an active emergency zone where responders are present assess an additional fine of \$250.00 for a first offense and \$300.00 for a second or subsequent offense.**

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STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
43.170	Misd	A	27080__._	Willfully resists/opposes a member of the patrol in the proper discharge of duties	N			
43.170	Misd	A	2709099.0	Failed to stop or obey reasonable signal direction of hwy patrolman	Y	2		
43.405	Misd	A	2707003._	Making false report of missing children	N			
43.600	Misd	B	2701503._	Filing false report on highway patrol emergency telephone system	N			
142.830	Misd	A	4601006.0	Operated as an inter-state motor fuel user without being licensed as such	N			
142.869	Infr		4600806.0	Operate mtr veh required to have alternative fuel decal upon hwy without valid decal	N			
142.869	Infr		4601606.0	Put/cause to be put alternative fuel into mtr veh on which no alternative fuel decal is attached	N			
142.869	Infr		4601706.0	Seller of alternative fuel fail to prop record sale of alternative fuel put in veh display alternative fuel decal	N			
142.869	Infr		3711902._	Violate provisions of Sec 142.869 re alternative fuel decal	N			
142.905	Misd	A	3711702._	Motor vehicle fuel tax evasion	N		License revocation	
142.914	Misd	A	3711202._	Motor vehicle fuel transportation ofns - 2nd and subsequent ofns	N			
142.914	Misd	B	3711802._	Motor vehicle fuel transportation ofns	N			
142.923	Misd	A	3711302._	Sell/use/deliver/store/import for sale/use/delivery/storage motor fuel when no tax pd	N		Seizure and impoundment of vehicle and cargo	
142.926	Misd	A	4601102.0	Transport dyed fuel without nontaxable use statement on shipping paper	N			
142.929	Misd	A	3711402._	Violation of importation of fuel laws	N		1st offense - fine only	
142.932	Misd	A	3711502._	Evasion of tax related to motor fuel with dye	N			
142.944	Misd	A	3711602._	Refusing inspection of motor fuel records in order to evade tax	N		A civil penalty of \$5,000 shall be imposed in addition to crim. Penalty	
226.720	Misd	A	3603199._	Unscreened junkyards near state and county roads prohibited - 2nd or subsequent offense	N			
226.720	Misd	C	3603299._	Unscreened junkyards near state and county roads prohibited - 1st offense	N			
229.150	Misd		4807506.0	Obstructed/damaged/changed location of public road (willfully or knowingly)	N		Fine \$5 - \$200 – 6 months jail	
229.210	Misd		4736005.0	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y	2	Fine \$5 - \$100 – only	
253.155	Misd		5471099.0	Operating a motor veh in a non-designated area in a state park	Y	2		

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253.160	Misd		5600405.0	Exceeded the speed limit in a state park	Y	3			Will count as serious traffic violation if speed is 15 MPH or more over speed limit
269.020	Misd		3604299._	Violating provisions regarding disposal of dead animals	N		Civil penalty of up to \$1,000 may be imposed		
556.022	Misd	A	27078.0	Fail to stop/obey reasonable signal direction of law enforcement officer	*	2			
556.022	Misd	A	27088.0	Willfully resists/opposes a law enforcement officer in the proper discharge of duties	*	2			
571.030	Misd	B	31037__._	Unlawful use of a weapon (subsec 6, 7 & 8)	N				

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301.010	Infr		4917206.0	Violate provisions of Sec 301.010(26) regarding local log truck weight limits	N			Calculated Wt. Fine	
301.010	Infr		4917306.0	Violate provisions of Sec 301.010(26) regarding local log truck dimension limits	N			\$30.50	
301.010	Infr		4917706.0	Violate provisions of Sec 301.010(27) regarding local log truck tractor weight limits	N			Calculated Wt. Fine	
301.010	Infr		4917806.0	Violate provisions of Sec 301.010(27) regarding local log truck tractor axle limits	N			\$30.50	
301.020	Misd	B	4601906.0	Failure to register mtr veh/trailer annually with DOR	N		DOR late filing penalty will apply when registration occurs	\$30.50	
301.020	Misd	B	4602006.0	Owner/Lien holder failed to surrender title of reconstructed vehicle to DOR	N			\$30.50	
301.020	Misd	B	4602106.0	Fail to register out-of-state registered veh/trl in MO when MO resident	N		DOR late filing penalty will apply when registration occurs	\$30.50	
301.020	Misd	B	4602406.0	Fail to register comm property carrying vehicle for sufficient gross weight	N			\$30.50	
301.020	Misd	B	4602706.0	Fail to register comm passenger carrying vehicle for the seating capacity	N			\$30.50	
301.020	Misd	B	4603006.0	Fail to register comm property/passenger carrying veh for beyond local oper	N			\$30.50	
301.020	Misd	B	4603306.0	Fail to register veh as comm mtr veh when veh is so designed/const/modified	N			\$30.50	
301.041	Misd	A	4603106.0	Fail to display registration plate on comm mtr veh	N			\$30.50	
301.069	Misd	A	4671906.0	Use a revoked driveaway license plate	N			Not FCC	
301.069	Infr		4602906.0	Violate driveaway license plate restrictions	N			Not FCC	
301.074	Infr		4603506.0	Fail to furnish annual proof of veh inspec and disability to DOR when issued a disabled vet license	N			\$20.50	
301.114	Misd	A	4603206.0	Operate as motor vehicle title service agent without a license	N			Not FCC	
301.130	Infr		4603406.0	Fail to properly affix or display tab on motor vehicle license plate	N			\$30.50	
301.130	Infr		4603806.0	Fail to display plates on mtr veh/trl	N			\$30.50	
301.130	Infr		4604106.0	Fail to properly affix/fasten to or maintain motor vehicle/trailer plates	N			\$30.50	
301.131	Infr		4604406._	Exceeded 1000 miles personal use of historic motor vehicle	N		Plates revoked upon conviction.	\$30.50	
301.131	Infr		4604706.0	Displayed historic plates when vehicle used for purposes other than exhibition/education	N		Plates revoked upon conviction.	\$30.50	

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301.131	Infr		4605606.0 Historic motor vehicle owner failed to maintain mileage log	N		Plates revoked upon conviction.	\$30.50	
301.133	Infr		4603706.0 Oper unlicensed self-propelled construction eqmt on Saturday/Sunday/legal holiday	N			\$20.50	
301.140	Infr		4605906.0 Displayed/possessed mtr veh/trl plates of another person	N			\$80.50	
301.140	Infr		4606106.0 Failure to transfer plates of vehicle within 30 days	N			\$30.50	
301.141	Misd	B	1950199.0 Physician or other health care practitioner falsely verify/certify a disability for a license plate	N			Not FCC	
301.141	Misd	B	4606206.0 Fraudulently obtain or use a disabled person license plate or windshield placard	N			\$80.50	
301.142	Misd	B	19502___. Improper certification for disabled license plate or windshield placard	N			Not FCC	
301.142	Misd	A	4606499.0 Fraudulent appl/renew/issue of disabled person license plate or windshield placard	N			Not FCC	
301.142	Misd	B	4606706.0 Fail to return handicap license plate/windshield placard of deceased person	N			\$55.50	
301.143	Misd	B	4607406.0 Use handicap license/placard without authorization	N			\$55.50	
301.143	Infr		4888006.0 Parked in space reserved for physically disabled person without proper license/card	N			\$20.50	
301.150	Infr		4605806.0 Failed to remove monthly series license plate on sale and or transfer of vehicle ownership	N			\$20.50	
301.190	Infr		4609406.0 Operated mtr veh/trl that no title has been issued for by DOR since veh was acquired/built	N			\$80.50	
301.190	Infr		4620706.0 Fail to collect fee ID/OD verification	N			\$30.50	
301.198	Misd	C	4608006.0 Knowingly submit false information about transfer of a vehicle	N			\$130.50	
301.198	Misd	C	4609806.0 Fraudulently fail to submit notice of transfer	N			\$130.50	
301.198	Infr		4610006.0 Fail to submit notice of transfer	N			\$30.50	
301.200	Infr		4620906.0 Dealer failed to deliver bill of sale on prescribed form	N			\$30.50	
301.210	Infr		4621506.0 Sell/purchase mtr veh or trailer registered in this state w/o transferring certificate of ownership	N			\$30.50	
301.210	Infr		4622006.0 Failure to deliver/receive certificate of ownership upon sale/transfer of ownership of motor vehicle/trailer	N			\$30.50	
301.218	Misd	A	4638006.0 Conducted business of selling used motor vehicle parts w/o license from DOR	N			Not FCC	
301.218	Misd	A	4638106.0 Conducted motor vehicle salvage business without license from DOR	N			Not FCC	
301.218	Misd	A	4638206.0 Conduct business of reblding/repair 4 or more wrecked/dismantled veh in calendar yr w/o license from DOR	N			Not FCC	



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301.218	Misd	A	4638306.0	Conducted mobil business of scrapping vehs/parts for metal w/o license from DOR	N			Not FCC	
301.218	Misd	A	4638406.0	Operator of salvage pool sold veh to person not licensed as salvage dealer	N			Not FCC	
301.218	Misd	A	4638506.0	Salvage pool operator failed to maintain proper record of vehicle sales	N			Not FCC	
301.225	Misd	A	4639006.0	Business selling used vehicle parts failed to maintain records/open for inspection	N			Not FCC	
301.225	Misd	A	4639106.0	Business salvaging vehs failed to maintain records/open records for inspection	N			Not FCC	
301.225	Misd	A	4639206.0	Business rebuilding vehs failed to maintain records/open records for inspection	N			Not FCC	
301.225	Misd	A	4639306.0	Scrap metal processor failed to maintain records/open records for inspection	N			Not FCC	
301.227	Misd	A	4639606.0	Scrap metal operator acquired mtr veh/ parts w/o receiving title	N			Not FCC	
301.227	Misd	A	4639706.0	Scrap metal operator failed to forward title to DOR within 10 days	N			Not FCC	
301.227	Misd	A	4639806.0	Scrap metal operator failed to maintain proper records	N			Not FCC	
301.266	Misd	A	4609106.0	Operated vehicle for hire/carried load while operation under a hunter's permit	N			\$130.50	
301.271	Infr		4622106.0	Failed to register nonresident commercial motor vehicle (no reciprocal agreement)	N			\$130.50	
301.275	Infr		4622206.0	Operated comm mtr veh while reg revoked by MO HRC for failure to pay fees	N			\$130.50	
301.277	Infr		4622306.0	Failed to register nonresident comm mtr veh (reciprocal agreement)	N			\$130.50	
301.280	Misd	A	4610506.0	Make a false statement/ommission in monthly sales report to DOR	N			Not FCC	
301.300	Infr		4622606.0	Failed to file for duplicate mtr veh/trl plate/tab/certificate of ownership within 5 days of loss/mutilation	N			\$30.50	
301.310	Infr		4611706.0	Failure to surrender mutilated or worn plate when duplicate issued	N			\$30.50	
301.320	Infr		4622706.0	Displayed unlawful plate/placard on mtr veh/trl	N			\$30.50	
301.330	Infr		4622806.0	Failed to display name/address on commercial motor vehicle	N			\$30.50	
301.380	Infr		4622906.0	Failure to collect fee for homemade trailer verification	N			\$30.50	
301.420	Misd	C	4610306.0	Made false statement in ownership/registration/application/ownership agreement	N			\$130.50	
301.559	Misd	A	5412199._	Failure of a motor vehicle dealer/manufacturer - boat dealer/manufacturer to obtain a license - 1st ofns	N		Second offense D Felony	Not FCC	

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301.562	Misd	A	4638706.0	Failure of motor vehicle dealer to surrender license or plates on demand	N			Not FCC	
301.563	Misd	B	5412299._	Refusal of subpoena from DOR - refusal to be sworn - produce evidence	N			Not FCC	
301.570	Fel	D	4609506.0	Sale of 6 or more motor vehicles in calendar year without being registered as motor vehicle dealer - 2nd or subsequent offense	N			Not FCC	
301.570	Misd	A	4609706.0	Sale of 6 or more motor vehicles in calendar year without being registered as motor vehicle dealer	N			Not FCC	
301.580	Misd	A	4638906.0	Fail to submit required report to DOR of special event motor vehicle auction sales	N			Not FCC	
301.620	Misd	A	4617599._	Failure to name lienholder in application for title	N			Not FCC	
301.703	Infr		4650106.0	Failure to obtain certificate of ownership for ATV	N			\$20.50	
301.707	Infr		4609205.0	Operating unregistered ATV	N			\$20.50	

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302.020	Misd		4676006.0	Operated vehicle on hwy without valid license - 1st offense	Y	2 4 6		\$80.50	Serious offense when committed in a CMV.
302.020	Misd		4676206.0	Operated vehicle on hwy without valid license - 2nd offense	Y	2 4 6		\$105.50	Serious offense when committed in a CMV.
302.020	Misd		4676406.0	Operated motorcycle when driver's license not valid for such operation-1st ofns	Y	2 4 6		\$80.50	
302.020	Misd		4676606.0	Operated motorcycle when driver's license not valid for such operation-2nd ofns	Y	2 4 6		\$105.50	
302.020	Misd		4676806.0	Permitted unvalidated licensee to operate motorcycle - 1st ofns	Y	4		\$30.50	
302.020	Misd		4677006.0	Operate vehicle with an instruction permit or license issued to another - 1st offense	Y	2		Not FCC	
302.020	Misd	C	4677206.0	Permitted unvalidated licensee to operate motorcycle - 2nd ofns	Y	4		\$55.50	
302.020	Misd	C	4677406.0	Operate vehicle with an instruction permit or license issued to another - 2nd or subsequent offense	Y	2		Not FCC	
302.020	Infr		4736406.0	Failed to wear protective/approved headgear when on motorcycle in motion	N		Fine \$0-\$25; no costs may be assessed	\$25.00	
302.175	Misd		4736606.0	Failed to comply with condition of restricted drivers license (for vision)	Y	2		\$30.50	
302.178	Infr		4661806.0	Violate provisions of Sec's 302.130 or 302.178 re intermediate driver's license or temp instruction permit	N			\$30.50	
302.200	Misd		4662306.0	Operated motor veh without obtaining new driver's license after being revoked/suspended	Y	12	SIS prohibited; 48 hrs. incarc. mandatory unless ct. orders at least 10 days CS, totaling 40 hrs or more; 1 year revocation	Not FCC	
302.220	Misd	A	4662706.0	Display or possess fictitious-canceled /suspended/ revoked/alterd drivers license	Y	2		Not FCC	
302.220	Misd		4663006.0	Represented the drivers lic of another person to be his/hers	Y	2		Not FCC	
302.220	Misd		4663506.0	Loaned drivers lic to another person	N			Not FCC	
302.220	Misd		4664006.0	Provided fraudulent information in application for drivers lic	Y	12	1 year revocation	Not FCC	1 year disqualification if committed by a CDL holder/applicant

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302.230	Misd	A	4660306.0	Made false statement/affidavit or knowingly swore/affirmed falsely to any matter req by Sec 302.010-302.540	Y	12	Fine \$0-\$1,000; no jail; license may not be obtained for 1 yr after conviction; 1 year revocation	Not FCC	1 year disqualification if committed by a CDL holder/applicant
302.233	Misd	A	1950599.0	Commits/assists another in committing fraud/deception during license examination	Y	12	1 year revocation	Not FCC	1 year disqualification if committed by a CDL holder/applicant
302.233	Misd	A	1950799.0	Knowingly conceal/provide false info/commit fraud in application for license/permit	Y	12	1 year revocation	Not FCC	1 year disqualification if committed by a CDL holder/applicant
302.250	Misd		4664506.0	Caused or knowingly permitted child or ward under age 16 to drive mtr veh	Y	4		\$30.50	
302.260	Misd		4665006.0	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y	4		\$30.50	
302.272	Misd	A	4669606.0	Operate school bus w/o a school bus endorsement	Y	2		\$80.50	
302.275	Infr		4660206.0	Knowingly fail to prov DOR w/in 10 days the notifictn req of a bus driver who failed to pass drug/alcohol test	N			Not FCC	
302.276	Misd	A	4660406.0	Oper school bus while endorsement suspended (suspended for fail to pass drug/alcohol/chem test)	Y	12	1 year revocation; May also be prosecuted under section 302.727 since most school busses are CMVs.	Not FCC	Same penalty as provided in 302.321; 1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.291	Misd	A	5411399._	Knowingly violates confidentiality provision related to incompetent/unqualified driver/files false rept	N			Not FCC	
302.301	Misd	C	4736906.0	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2		\$30.50	
302.304	Misd	A	4673006._	Operate motor vehicle while license revoked/suspended for failure to maintain proof of ignition interlock device due to point violation	Y	12	1 year revocation	Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.321	Misd		4677606.6	Driving while revoked/suspended - 1st offense	Y	12		Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)

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302.321	Misd		4677806.0	Driving while revoked/suspended - 2nd or subsequent offense	Y	12	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.321	Fel D		4678006.0	Driving while revoked/suspended	Y	12	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.725	Misd	A	4670006.0	Drive comm mtr veh without comm driver's license in possession <i>Note. Production of proof that the license had been issued before the ticket date by the time of trial or payment date is a defense.</i>	Y	2	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	\$130.50	Serious traffic offense
302.725	Misd	A	4670306.0	Drive comm mtr veh without proper class of license/endorsement	Y	2	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	\$130.50	Serious traffic offense
302.725	Misd	A	4670506.0	Drive comm mtr veh without comm mtr veh driver's license	Y	2	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	\$130.50	Serious traffic offense
302.725	Misd	A	4670706.0	Violate operator's license restriction while operating a comm mtr veh	Y	2	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	\$130.50	
302.727	Misd	A	4671406.0	Drive comm mtr veh while driver is disqualified from operating a comm mtr vehicle	Y	2	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.727	Misd	A	4671606.0	Drive comm mtr veh while comm mtr veh license is revoked, suspended or cancelled	Y	12	SIS prohibited; 48 hrs incar. mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not FCC	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.755	Misd	A	4841106.0	Violated an out-of-service order while transporting hazardous materials (1st ofns)	Y	2	driver/employer subject to civil penalty	\$130.50	180 day disqualificatn if in CMV

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302.755	Misd	A	4841206.0	Violated an out-of-service order while transporting hazardous materials (2nd and subsequent ofns)	Y	2	driver/employer subject to civil penalty	Not FCC	3 year disqualification if in CMV
302.755	Misd	A	4841706.0	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ driver-1st ofns	Y	2	driver/employer subject to civil penalty	\$130.50	180 day disqualification if in CMV
302.755	Misd	A	4841806.0	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ drive-2nd/subsqnt ofns	Y	2	driver/employer subject to civil penalty	Not FCC	3 year disqualification if in CMV
302.755	Misd	A	4949506.0	Oper commercial mtr veh beginning at issuance of order until it expires (1st ofns)	Y	2	driver/employer subject to civil penalty	\$130.50	180 day disqualificatn if in CMV
302.755	Misd	A	4949706.0	Oper commercial mtr veh beginning at issuance of order until it expires (2nd ofns)	Y	2	driver/employer subject to civil penalty	\$130.50	2 year disqualification if in CMV
302.755	Misd	A	4949906.0	Oper commercial mtr veh beginning at issuance of order until it expires (3rd/subsequent ofns)	Y	2	driver/employer subject to civil penalty	Not FCC	3 year disqualification if in CMV
302.780	Misd		4748505.0	Drove comm vehicle with willful/wanton disregard for safety	Y	2		\$130.50	Serious traffic offense
302.780	Misd		4749004.0	Drive comm motor vehicle/BAC .04% or more	Y	2		Not FCC	1 year disqualification if in CMV
302.780	Misd		4749503.0	Drove comm motor vehicle under influence of controlled substance	Y	8		Not FCC	1 year disqualification if in CMV

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
303.024	Misd	B	1919307._	Possess fraudulent document as insurance identification card	Y	2		Not FCC	
303.024	Fel	D	19192__._	Produce/manufacture/sell.distribute fraudulent document/photocopy/mobile image as insurance identification card	N			Not FCC	
303.024	Misd	B	19193__._	Possess fraudulent document/photocopy/mobile image as insurance identification card	N			Not FCC	
303.025	Misd		4683606.0	As owner or operator authorizing another to operate a motor veh w/out maintain financl respons (mtr veh reqrd to be reg)	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not FCC	
303.025	Misd		4683806.0	Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not FCC	
303.040	Misd	B	4684006.0	Failure to report accident to DOR within 30/10 days	Y	2	Fine \$0-\$500	Not FCC	
303.178	Misd	A	4686306.0	Knowingly display invalid evidence of liability insurance	Y	2	1 year revocation under Section 303.042 RSMo	Not FCC	
303.179	Misd	A	4686506.0	Knowingly alter, make, sell, or make available an invalid/counterfeit insurance card	N			Not FCC	
303.330	Misd	B	4683006.0	Refused to surrender drivers license/registration to DOR when license suspended/revoked	N		Fine \$0-\$500; 30 days max jail	Not FCC	
303.370	Misd	A	4681006.0	Forged/misrepresented motor veh accident or financial responsibility information to DOR knowingly	Y		Fine \$0-\$1,000; 1 yr max jail	Not FCC	
303.370	Misd		4602206.0	Drive motor vehicle on highway while owner's registration is suspended/revoked pursuant to Chap 303.370.3	Y	0	Fine \$0-\$500; 6 mos max jail	Not FCC	

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303.370	Misd		4681806.0	Drive motor vehicle on highway while driver's license is suspended/revoked pursuant to Chap 303	Y	12	Fine \$0-\$500; 6 mos max jail	Not FCC	
303.406	Misd	A	4686799.0	Knowingly disclose information received from insurance companies	N			Not FCC	



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304.010	Misd	C	4956206.0	Weight of vehicle exceeded road/bridge limit approved by Hwy/Trans Commission in 2nd/3rd/4th class county	N			\$80.50	
304.010	Infr		5600505.0	Exceeded posted speed limit (exceeded by 1 - 5 mph)	Y	0	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$20.50	
304.010	Misd	C	5601005.0	Exceeded posted speed limit (exceeded by 6-10 mph)	Y	3	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$30.50	
304.010	Misd	C	5601505.0	Exceeded posted speed limit (exceeded by 11 - 15 mph)	Y	3	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$55.50	15 over - Serious traffic violation
304.010	Misd	C	5601905.0	Exceeded posted speed limit (exceeded by 16 - 19 mph)	Y	3	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$80.50	Serious traffic violation
304.010	Misd	B	5602505.0	Exceeded posted speed limit (exceeded by 20 - 25 mph)	Y	3	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$155.50	Serious traffic violation
304.010	Misd	B	5602605.0	Exceeded posted speed limit (exceeded by 26 mph or more)	Y	3	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	Not FCC	Serious traffic violation
304.011	Misd		4703605.0	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2	Fine \$5-\$500, 1 yr jail max	\$30.50	
304.011	Misd	C	4703705.0	Drove at speed less than 40 mph on interstate highway	Y	2		\$30.50	
304.012	Misd	B	4737605.0	Operated a motor vehicle in a careless and imprudent manner	Y	2		\$80.50	Serious traffic violation
304.012	Misd	A	4737705.0	Operated a motor vehicle in a careless and imprudent manner, involving an accident	Y	2		Not FCC	Serious traffic violation

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.013	Misd	C	4706005.0	Unlawfully operate ATV upon highway	Y	2	Points assessed only if offense occurred on public hwy/rdwy	\$30.50	
304.013	Misd	C	4706206.0	Unlawfully operate ATV within a stream or river	N			\$30.50	
304.013	Misd	C	4706406.0	Unlawfully operate ATV on highway without operator's or chauffeur's license	Y	2	NA to handicapped persons operating ATV for short distances occasionally on secondary roads between the hours of sunrise and sunset	\$30.50	
304.013	Misd	C	4706605.0	Unlawfully operate ATV on highway in excess of thirty miles-per-hour	Y	3		\$30.50	
304.013	Misd	C	4706806.0	Unlawfully operate ATV without proper bicycle safety flag	N			\$20.50	
304.013	Misd	C	4707006.0	Unlawfully operate ATV in careless way, endangering person or property of another	Y	2		\$80.50	
304.013	Misd	C	4707204.0	Unlawfully operate ATV while under the influence of alcohol or controlled substance	Y	2		Not FCC	
304.013	Misd	C	4707606.0	Person under 18 years oper ATV without securely fastened safety helmet on head	N			\$20.50	
304.013	Misd	C	4707806.0	Unlawfully operate ATV carrying a passenger when seat not designed for such	Y	2		\$20.50	
304.013	Misd	C	4707906.0	Handicapped person operated ATV on primary highway	Y	2		\$30.50	
304.013	Misd	C	4708005.0	Unlawfully operate ATV on highway for agricultural purposes between official sunset and sunrise	Y	2		\$20.50	
304.013	Misd	C	4708106.0	Handicapped person operated ATV on roadway between the hours of official sunset and sunrise	Y	2		\$20.50	
304.015	Misd	C	4714305.0	Failed to obey official signs temporarily designating lanes	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4714405.0	Failed to obey official signs temp designating lanes, causing an immed threat of an accident	Y	2		\$30.50	Serious traffic violation

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304.015	Misd	A	4714705.0	Failed to obey official signs temporarily designating lanes, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4714105.0	Changed lanes when movement could not be made with safety on roadway having 3 or more lanes	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4714205.0	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4715005.0	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, resulting in accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4721405.0	Made U-turn/left turn on divided hwy not at intersec/interchange/any signed location	Y	2		\$30.50	
304.015	Misd	B	4721505.0	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location-causing immed threat of accidnt	Y	2		\$30.50	
304.015	Misd	A	4721205.0	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location - resulting in accident	Y	2		Not FCC	
304.015	Misd	C	4722305.0	Failed to drive on right half of rdwy when rdwy was of sufficient width	Y	2		\$30.50	
304.015	Misd	B	4722405.0	Failed to drive on right half of rdwy when rdwy was of sufficient width, causing an immed threat of accident	Y	2		\$30.50	
304.015	Misd	A	4722705.0	Failed to drive on right half of rdwy when rdwy was of sufficient width, resulting in an accident	Y	2		Not FCC	
304.015	Misd	C	4722105.0	Drove wrong direction on hwy divided into two or more rdwys	Y	2		\$30.50	
304.015	Misd	B	4722005.0	Drove wrong direction on hwy divided into two or more rdwys, causing an immed threat of an accident	Y	2		\$30.50	
304.015	Misd	A	4723005.0	Drove wrong direction on hwy divided into two/more rdwys, resulting in an accident	Y	2		Not FCC	
304.015	Misd	C	4721805.0	Failed to drive within single lane on roadway having 3 or more lanes	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4721705.0	Failed to drive within single lane on roadway having 3 or more lanes, causing an immed threat of an accident	Y	2		\$30.50	Serious traffic violation

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304.015	Misd	A	4723305.0	Failed to drive within single lane on roadway having 3 or more lanes, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4724305.0	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4724405.0	Drove in cntr lane of 3 lane rdwy when view obstructd or not clear of traffic, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723605.0	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4724505.0	Failed to drive in right hand lane of roadway with 3 or more lanes when traveling at speed less than normal	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4724605.0	Failed to drive in right hand lane of rdwy with 3 or more lanes when travel at speed < normal, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723905.0	Fail to drive in rght hand lane of rdwy with 3 or > lanes when travel at speed < normal, resulting in accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4725005.0	Failed to drive within right lane of hwy with 2 or more lanes in same direction	Y	2		\$30.50	Serious traffic violation
304.015	Misd	B	4725105.0	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4724205.0	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Misd	A	4725505.0	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes - result in accident	Y	2		Not FCC	
304.015	Misd	B	4725305.0	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes - cause threat of accident	Y	2		\$80.50	
304.015	Misd	C	4725405.0	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes	Y	2		\$80.50	
304.015	Misd	C	4800205.0	Failed to place veh not in motion as near right hand side of hwy as practicable	N			\$30.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.015	Misd	B	4800605.0	Fail to place veh not in motion as near right hand side of hwy as practicable, causing immed threat of accident	Y	2		\$30.50	
304.015	Misd	A	4800805.0	Failed to place veh not in motion as near right hand side of highway as practicable, resulting in an accident	Y	2		Not FCC	
304.016	Misd	C	4728505.0	Cut in on overtaken vehicle	Y	2		\$80.50	
304.016	Misd	C	4728805.0	Passed vehicle on right and traveled off main portion of road	Y	2		\$80.50	
304.016	Misd	C	4729105.0	Passed vehicle and interfered with approaching traffic	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4729405.0	Drove vehicle to left side of roadway when view obstructed by hill or curve	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4729705.0	Drove vehicle to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4730005.0	Drove vehicle to left side of roadway within 100ft of intersec/railroad grade crossing	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4737505.0	Increased speed while being passed	Y	2		\$80.50	
304.017	Misd	C	4727005.0	Car/motorcycle/truck under 18000 lbs followed another vehicle too closely	Y	2		\$30.50	Serious traffic violation
304.017	Misd	C	4727305.0	Truck - 18,000 lbs or more/bus followed another vehicle too closely	Y	2		\$130.50	Serious traffic violation
304.019	Misd	C	4721305.0	Stopped/decreased speed/turned from direct course/move vehicle right/left when unsafe	Y	2		\$30.50	
304.019	Misd	C	4733305.0	Failed to signal/gave improper signal when stopping/turning left or right	Y	2		\$30.50	
304.022	Misd	A	4710605.0	Fail to yield to emergency veh sounding siren and displaying red/blue light	Y	2		\$80.50	
304.022	Misd	A	4710705.0	Failed to proceed with caution/yield right-of-way/reduce speed when approaching a stationary emergency vehicle displaying emergency lights	Y	2		\$80.50	
304.022	Misd	A	4710905.0	Activate siren/warning lights on emergency vehicle when not in pursuit/on emergency mission	Y	2		\$80.50	
304.022	Misd	A	4711405.0	Failed to yield to MoDOT stationary vehicle displaying amber or amber & white lights	Y	2		\$80.50	

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304.022	Misd	A	4711505.0	Failure of streetcar motorman to stop car clear of intersection until emerg veh has passed	Y	2		Not FCC	
304.023	Misd	C	4729005.0	Improper passing of a streetcar	Y	2		\$80.50	
304.024	Infr		4800106.0	Stopped or parked veh in prohibited area established by MO Hwy & Trans Comm	N			\$20.50	
304.029	Misd		4752705.0	Unlawfully operate low-speed vehicle upon highway with a posted speed limit greater than 35 mph	Y	3		\$30.50	
304.029	Misd		4753306.0	Unlawfully operate low-speed vehicle upon highway without proof of financial responsibility	Y	4		Not FCC	
304.029	Misd		4753406.0	Unlawfully operate low-speed vehicle upon highway without a valid driver's license	Y	2		\$30.50	
304.030	Misd		4715105.0	Failed to stop loaded bus or hazardous/inflammable/corrosive materials truck for railroad grade crossing	Y	2		\$80.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.031	Misd	B	4719006.0	Unlawfully use a Traffic Signal Preemption System to control traffic	Y	2		\$130.50	
304.032	Misd	C	47500__.	Unlawfully operate utility vehicle while under influence of alcohol or controlled substance	Y	2		Not FCC	
304.032	Misd	C	4750306.0	Unlawfully operate utility vehicle on highway without operator's or chauffeur's license	Y	2		\$30.50	
304.032	Misd	C	4750505._	Unlawfully operate utility vehicle upon highway	Y	2		\$30.50	
304.032	Misd	C	4750705.0	Handicapped person operated utility vehicle on primary highway	Y	2		\$30.50	
304.032	Misd	C	4751005._	Unlawfully operate utility vehicle within stream or river	N			\$30.50	
304.032	Misd	C	4751305.0	Handicapped person operated utility vehicle on roadway between sunset and sunrise	Y	2		\$20.50	
304.032	Misd	C	4751505._	Unlawfully operate utility vehicle while carrying passenger	Y	2		\$20.50	

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304.032	Misd	C	4751705.0	Unlawfully operate utility vehicle on highway for agricultural purposes between sunset and sunrise without proper lighting	Y	2		\$20.50	
304.032	Misd	C	4752005._	Unlawfully operate utility vehicle in careless manner - endanger person or property of another	Y	2		\$80.50	
304.032	Misd	C	4752505.0	Unlawfully operate utility vehicle on highway in excess of 45 MPH	N			\$30.50	
304.033	Misd		4753006.0	Unlawfully operate recreational off-highway vehicle on a highway - without a valid license	Y	2		\$30.50	
304.033	Misd		4753505.0	Unlawfully operate recreational off-highway vehicle on a highway	Y	2		\$30.50	
304.033	Misd		4754005.0	Unlawfully operate recreational off-highway vehicle - other than without a valid license	N			\$30.50	
304.035	Misd	C	4715205.0	Drove through RR crossing without sufficient space	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035	Misd	C	4715305.0	Drove through RR crossing without sufficient undercarriage clearance on vehicle	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035	Misd	C	4715505.0	Failure to obey traffic control device/direction of enforcement official at RR crossing	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification

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304.035	Misd	C	4715605.0	Failure to stop at RR track	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035	Misd	C	4715805.0	Failure to obey RR-hwy grade crossing restrictions not specified	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035	Misd	C	4715905.0	Fail to slow comm mtr veh when approaching RR grade crossing	Y	2		\$30.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 90 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.044	Misd	C	4727605.0	Followed another bus/truck closer than 300 ft	Y	2		\$130.50	Serious traffic violation
304.050	Misd	A	4730305.0	Failed to stop for school bus receiving/discharging school children	Y	2		\$80.50	
304.050	Misd	A	4801506.0	Fail to have signs on school bus/equip school bus with mech/elec signaling device	N			\$80.50	
304.050	Misd	A	4801806.0	Fail to equip school bus with crossing control arm	N			Not FCC	
304.050	Misd	A	4802006.0	School bus driver required passenger to cross more than 2 lanes of 4 lane highway	N			\$80.50	
304.050	Misd	A	4802506.0	School bus driver loaded or unloaded passengers where bus not visible 300 ft/500 ft	N			\$80.50	
304.050	Misd	A	4803005.0	School bus driver failed to permit following vehicle to pass	Y	2		\$80.50	



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304.075	Misd	C	4901006.0	Fail to remove or cover signs on school bus when used for purpose other than transporting school children	N			\$30.50	
304.079	Misd	A	4887706.0	Failure to provide proper authorization for parking vehicle in handicap zone	N			\$80.50	
304.079	Misd	A	4887805.0	Oper/drive mtr veh with disabled placard hanging from rearview mirror	N			\$10.00	
304.080	Misd		4738205.0	Failed to yield to blind pedestrian with guide dog or white cane	Y	2	Fine \$0-\$25; may assess 10 days in jail if default in payment of fine and/or costs	Not FCC	
304.130	Infr		5610505.0	Exceeded posted speed limit - 1st class county (exceeded by 1 - 5 mph)	Y	0		\$20.50	
304.130	Infr		5611005.0	Exceeded posted speed limit - 1st class county (exceeded by 6 - 10 mph)	Y	2		\$30.50	
304.130	Infr		5611505.0	Exceeded posted speed limit - 1st class county (exceeded by 11 - 15 mph)	Y	2		\$55.50	15 over - Serious traffic violation
304.130	Infr		5611905.0	Exceeded posted speed limit - 1st class county (exceeded by 16 - 19 mph)	Y	2		\$80.50	Serious traffic violation
304.130	Infr		5612505.0	Exceeded posted speed limit - 1st class county (exceeded by 20 -25 mph)	Y	2		\$155.50	Serious traffic violation
304.130	Infr		5612605.0	Exceeded posted speed limit - 1st class county (exceeded by 26 mph or more)	Y	2		Not FCC	Serious traffic violation
304.151	Infr		48814__.	Failure to move vehicle which is obstructing flow of traffic	N		Fine \$15-\$50	\$20.50	
304.156	Infr		4600706.0	Fail to make applic for junking or salvage certif title w/in 30 days of purchase abandnd prop from municipality or county	N			Not FCC	
304.157	Misd	C	4880606.0	Landowner towed abandnd prop w/out athr of law enfrcemnt officer when not present/when no sign disply warn such	N			Not FCC	
304.158	Misd	A	48808__.	Any violation of towing regulations from Sec 304.155 to 304.158	N			\$130.50	
304.160	Misd	C	4804506.0	Fail to make reasonable effort to clear hwy of substnce injur to tires/veh when dropped purpose/accident	N			\$30.50	
304.170	Misd		4804606.0	Operate/transport implements of husbandry on highway between sunset and sunrise	N			\$80.50	
304.170	Misd		4804706.0	Operated implements of husbandry on state highway without operator's license	N			\$80.50	

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304.170	Misd		4804806.0	Operated sludge disposal unit on interstate highway	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4804906.0	Operated sludge disposal unit in violation of special permit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4906106.0	Width of veh exceeded 8 1/2 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4906506.0	Width of sludge disposal unit exceeded 11 1/2 feet	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4907506.0	Height of vehicle exceeded 13 1/2 or 14 feet	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4908006.0	Length of single motor vehicle exceeded 45 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4909106.0	Length of bus exceeded 45/46/47 feet	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4910106.0	Length of truck and other combined vehicle(s) exceeded 55 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4911106.0	Length of tractor and semi-trailer exceeded 60 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4912106.0	Length of tractor, semi-trailer and trailer/truck and trailers exceeded 65 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4914006.0	Length of semi-trailer/trailer exceeded 28/ 28 1/2 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4915006.0	Length of semi-trailer w/load exceeded 53 feet on interstate or designated hwy plus 10 air miles	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4915306.0	Length of loaded auto/boat transporting exceed limit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd		4915506.0	Length of driveway saddlemount combination exceeded limit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.180	Misd		4919506.0	Weight on tandem axle exceed 34,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4921106.0	Weight on single axle exceed 20,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.180	Misd		4922006.0	Weight on steering axle exceed 12,000 lbs/veh manufacturer's rating	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4923006.0	Weight on single axle exceed 22,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4924006.0	Weight on tandem axle exceed 36,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4925006.0	Gross weight exceed posted limit for bridge	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4926006.0	Gross weight exceed 80,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4926506.0	Weight on livestock/milk hauler exceeds 85,500 pounds	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4927006.0	Weight on axle group exceed limit for interstate highway	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.180	Misd		4928006.0	Weight on axle group exceed limit for highway	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.181	Misd		4929006.0	Weight on bus single axle exceed 20,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.181	Misd		4930006.0	Weight on bus tandem axle exceed 34,000 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	

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304.184	Misd		4932606.0	Violate Sec 304.184 re weight limits for trucks/tractor-trailers/etc engaged in transporting solid waste	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.184	Misd		4932706.0	Violate Sec 304.184 re length and width limits for trucks/tractor-trailers/etc engaged in transporting solid waste	N			\$80.50	
304.190	Misd		4935106.0	Height of veh in comm zone exceed 15 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.190	Misd		4936106.0	Weight on single axle exceed 22,400 lbs	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.200	Misd		4936606.0	Viol special permits for vehicles regarding weight limits	N		First 500 lbs over \$.02/lb; next 500 lbs over \$.05/lb; > 1000 lbs over \$.10/lb	Calculated Wt. Fine	
304.200	Misd		4936706.0	Violate special permits for vehicles regarding width, length, height, speed limit or any other condition/restriction of permit	N			\$80.50	
304.220	Misd	C	4940006.0	Weight of vehicle exceeded maximum posted limit for county road or bridge	N			Calculated Wt. Fine	
304.230	Misd		4941006.0	Refuse to weigh commercial motor vehicle or submit to a driver/vehicle inspection	N		Fine of not less than \$5; 1 yr jail max	\$130.50	
304.235	Misd		4942006.0	Failed to stop comm mtr veh at weigh station	N		Fine \$5-\$500; 1 yr jail max	\$130.50	
304.250	Infr		4943206.0	Operated metal tired veh on improved hwy	N		Liable for civil damages	\$20.50	
304.271	Misd	C	4715705.0	Failed to obey traffic control device	Y	2		\$30.50	
304.281	Misd	C	4709305.0	Failed to yield right of way to vehicle/pedestrian lawfully in controlled intersec/crosswalk	Y	2		\$30.50	
304.281	Misd	C	4716005.0	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersec	Y	2		\$30.50	
304.281	Misd	C	4716305.0	Turned right on red signal where prohibited by sign	Y	2		\$30.50	
304.281	Misd	C	4780506.0	Pedestrian started to cross roadway when facing steady red/yellow signal	N			\$20.50	
304.291	Misd		4738405.0	Failed to yield right of way to pedestrian facing walk signal	Y	2	Fine \$5-\$500; 1 yr jail max	\$20.50	

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304.291	Misd		4781006.0	Pedestrian started across rdwy when signal exhibited words "don't walk"	N		Fine \$5-\$500; 1 yr jail max	\$20.50	
304.301	Misd	C	4716605.0	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersec	Y	2		\$30.50	
304.301	Infr		4717005.0	Failed to proceed with caution past a flashing yellow signal	N			\$30.50	
304.311	Misd		4717205.0	Entered/traveled in a lane over which a red signal was shown	Y	2	Fine \$5-\$500; 1 yr jail max	\$30.50	
304.321	Misd		4805006.0	Placed unauthorized sign/signal device on/in view of hwy	N		Fine \$5-\$500; 1 yr jail max	\$80.50	
304.321	Misd		4805506.0	Placed device/sign which interfered with effectiveness of official sign/signals	N		Fine \$5-\$500; 1 yr jail max	\$80.50	
304.321	Misd		4806006.0	Placed comm advertising on official sign	N		Fine \$5-\$500; 1 yr jail max	\$80.50	
304.331	Misd		4808006.0	Altered/defaced/injured/knocked down or removed sign or signal device	N		Fine \$5-\$500; 1 yr jail max	\$80.50	
304.341	Misd	C	4717505.0	Failed to turn as directed or required by intersec traffic control device	Y	2		\$30.50	
304.341	Misd	C	4717805.0	Made U-turn at intersec controlled by traffic signal/police officer	Y	2		\$30.50	
304.341	Misd	C	4721605.0	Failed to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	2		\$30.50	
304.341	Misd	C	4721905.0	Failed to make/approach for left turn within proper lane	Y	2		\$30.50	
304.341	Misd	C	4722205.0	Make U-turn/interfere w/traffic where vision less than 300 ft/traffic hazard created	Y	2		\$30.50	
304.351	Misd	C	4709605.0	Failed to yield to vehicle that had entered intersec with no traffic control	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.351	Misd	C	4709905.0	Failed to yield to vehicle on right that entered intersec at approximately same time	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	
304.351	Misd	C	4710205.0	Failed to yield to vehicle approaching from opposite direction when turning left	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	
304.351	Misd	C	4710505.0	Failed to yield after stopping to vehicle that entered intersec/so close to cause hazard	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.351	Misd	C	4710805.0	Fail to yield to approaching vehicle when entering/crossing hwy from alley/driveway	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	
304.351	Misd	C	4711105.0	Fail to yield to approaching vehicle when turning left into alley/private road/driveway	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	
304.351	Misd	C	4718105.0	Failed to stop for stop sign at stop line/before crosswalk/point nearest intersec	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.351	Misd	C	4718405.0	Failed to slow to reasonable speed for existing conditions or stop for yield sign	Y	2	Fine up to \$200 & DL suspension for 30 days if caused physical injury. Fine up to \$500 & DL suspension for 90 days if caused serious physical injury. Fine up to \$1000 & DL suspension for 6 months if caused fatality.	\$30.50	
304.373	Misd	A	4734002.0	Transport hazardous material in/through highway tunnel - found or plead guilty/2nd or subsequent ofns	Y	0		\$130.50	
304.373	Misd	B	4734202.0	Transport hazardous material in/through highway tunnel - 1st ofns	Y	0		\$130.50	
304.373	Misd	A	4734502.0	Illegally park veh containing haz material within 300 ft of any highway tunnel - 2nd or subsqnt ofns	N			\$80.50	
304.373	Misd	B	4734702.0	Illegally parked a veh containing hazardous material with 300 ft of any highway tunnel - 1st ofns	N			\$80.50	
304.582	Misd	C	4729505.0	Overtake/pass mtr veh in work/construction zone on divided highway	Y	2	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$105.50 (+ \$250.00 if workers present)	
304.582	Misd	C	4729605.0	Pass or attempt to pass mtr veh in wrk/constrction zone on 2 lane hwy when worker/equip workng and sign/contrl device erected	Y	2	1st Offense workers present & sign posted \$250; 2nd & subsequent - \$300	\$105.50 (+ \$250.00 if workers present)	
304.585	Infr		5606005.0	Endangerment of a highway worker as defined in Sec 304.580.1	Y	4	Fine not to exceed \$1000	Not FCC	Serious traffic violation



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304.585	Infr		5607005.0	Aggravated endangerment of a highway worker as defined in Sec 304.580.1	Y	12	Fine not to exceed \$5000 if injury to highway worker Fine not to exceed \$10000 if death to highway worker	Not FCC	Serious traffic violation
304.665	Misd	C	4740006.0	Oper truck with person under 18 years of age riding in unenclosed bed of truck	N			\$20.50	
304.678	Misd		4728905.0	Failure of operator of motor veh to maintain safe distance when passing bicycle	Y	2		\$80.50	
304.678	Misd	C	4728605.0	Failure of operator of motor veh to maintain safe distance when passing bicycle - involves accident	Y	2		Not FCC	
304.678	Infr		4728705.0	Failure of operator of motor veh to maintain safe distance when passing bicycle	N	2		\$80.50	
304.705	Infr		4724905.0	Truck > 24,000 lbs drive in far left lane in violation of Sec. 304.705	Y	2		\$30.50	
304.705	Misd	C	4724805.0	Truck > 24,000 lbs drive in far left lane in violation of Sec.304.705 w/ immediate threat of accident	Y	2		\$30.50	
304.705	Misd	A	4724705.0	Truck > 24,000 lbs drive in far left lane in violation of Sec. 304.705 w/ accident	Y	2		Not FCC	
304.820	Infr		4737405._	Person 21 years old or less operate moving noncommercial motor vehicle while sending/reading/texting on mobile electronic device	Y	2		\$20.50	
304.820	Infr		4737105.0	Operate commercial motor vehicle while using hand-held mobile telephone	Y	2		\$20.50	Serious traffic violation when operating a CMV
304.820	Infr		4737905.0	Oper commrl motor vehicle while texting	Y	2		\$20.50	Serious traffic violation when operating a CMV
304.892	Misd	C	4729305._	Overtake or pass another MV in active emergency zone	Y	2	Plus \$250 fine for 1st Offense or \$300 for 2nd & subsequent offenses	\$105.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.894	Infr		5606505.0	Aggravated endangerment of an emergency responder	Y	12	Fine not to exceed \$5000 if injury to emergency responder; Fine not to exceed \$10000 if death to emergency responder	Not FCC	Serious traffic violation
304.894	Infr		5607505.0	Endangerment of an emergency responder	Y	4	Fine not to exceed \$1000	Not FCC	Serious traffic violation

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307.010	Misd	C	4808706.0	Failed to cover or sufficiently secure vehicle load	N			\$130.50	
307.015	Infr		4809106.0	Failed to have mud flaps or fenders on truck or truck tractor trailer/have adequate mud flaps	N			\$20.50	
307.040	Misd		4809406.0	Oper mtr veh without lighted lamps when using windshield wipers	N			\$10.00	
307.040	Misd		4809306.0	Failed to display lighted lamps on mtr veh/mtr drawn veh/motorcycle as required (general law)	Y	2		\$20.50	
307.040	Misd		4809906.0	Oper mtr veh without lighted lamps during periods of fog	N			\$10.00	
307.040	Misd		4810206.0	Used unapproved lighting device or equipment on mtr veh/mtr drawn veh/motorcycle	N			\$20.50	
307.045	Misd		4810706.0	Fail to equip car/truck/bus with 2 approved headlamps/1 on each side/on same level	N			\$20.50	
307.045	Misd		4811206.0	Failed to equip motorcycle with an approved headlamp	N			\$20.50	
307.045	Misd		4811706.0	Equipped motorcycle with more than 2 headlamps	N			\$20.50	
307.045	Misd		4812206.0	Failed to equip motorcycle sidecar with an approved white light	N			\$20.50	
307.050	Misd		4810406.0	Violate Section 307.050 regarding alternative to approved headlamps on motor vehicle	N			\$20.50	
307.055	Misd		4816406.0	Failed to have singlebeam headlamp properly aimed/with an intensity to see persons/vehicles 200 feet	N			\$20.50	
307.060	Misd		4812706.0	Failed to have multiple beam headlamps on passenger car/truck/bus	N			\$20.50	
307.060	Misd		4813206.0	Fail to have upper beam headlamps aimed w/intensity to see person/vehicle 350 ft	N			\$20.50	
307.060	Misd		4813706.0	Fail to have lower beam headlamps aimed w/intensity to reveal person/vehicle 100 ft	N			\$20.50	
307.060	Misd		4814206.0	Oper mtr veh w/low beam headlamps directed to strike eyes of approaching driver	N			\$20.50	
307.065	Misd		4816906.0	Fail to have vehicle equipped with proper beam indicator for multi-beam headlamps	N			\$20.50	

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307.070	Misd		4738905.0	Failed to dim lights when within 500 ft of oncoming veh/300 ft of rear of a veh	Y	2		\$20.50	
307.075	Misd		4814706.0	Failed to equip mtr veh/mtr drawn veh with 2 approved red tail lamps-proper level (knowingly)	N			\$20.50	
307.075	Misd		4815206.0	Fail to equip mtr veh/mtr drawn veh with rear license lamp/to illuminate license 50 ft	N			\$20.50	
307.075	Misd		4815706.0	Fail to equip motorcycle with an approved properly mounted visible red reflector	N			\$20.50	
307.075	Misd		4816206.0	Fail to have 2 approved/properly mounted/visible/red reflectors on rear of motor veh	N			\$20.50	
307.075	Misd		4816306.0	Operated mtr vehicle knowing inoperable license lamps/tail lamps	N			\$20.50	
307.080	Misd		4817206.0	Equip mtr veh with more than 3 aux lamps on front/mounted aux lamps improperly	N			\$20.50	
307.085	Misd		4817706.0	Equip motor vehicle w/more than 2 side cowl/fender lamps/wrong color side lamps	N			\$20.50	
307.085	Misd		4818206.0	Equipped mtr veh with backup lamp that is lighted when veh is in forward motion	N			\$20.50	
307.090	Misd	C	4818706.0	Equipped motor vehicle with more than 1 spotlamp	N			\$20.50	
307.090	Misd	C	4819206.0	Aimed or used a motor vehicle spotlamp in a glaring manner/to dazzle a person	N			\$30.50	
307.095	Misd		4819706.0	Displayed lighted headlamps of color not substantially white	N			\$20.50	
307.095	Misd		4820206.0	Displayed lighted aux lamps of color not substantially white or yellow or amber	N			\$20.50	
307.095	Misd		4820706.0	Displayed lighted red lamp to front of motor vehicle	N			\$20.50	
307.100	Misd		4821206.0	Use lamp other than head/spot/directional/auxiliary on mtr veh that projects beam 75 ft	N			\$20.50	
307.100	Misd		4821406.0	Used alternative flashing signal on comm passngr transprt veh/railroad passngr cars not loading/unloading passngr	N			\$30.50	
307.100	Misd		4821706.0	Used alternative flashing signal for purpose not school bus/mail trsp/emerg veh/turn sig/load/unload passengers	N			\$30.50	

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307.105	Misd		4822206.0	Failed to have 2 lighted headlamps - 1 on each side of passenger car/truck/bus	N			\$20.50	
307.105	Misd		4822706.0	Displayed more than 4 lighted headlamps on front of mtr veh	N			\$20.50	
307.110	Misd		4823206.0	Failed to display proper lighted lamps on parked passenger car/truck/bus	N			\$20.50	
307.115	Misd		4823706.0	Failed to have lighted lamps on agricultural machine/road machine/farm tractor/or have adequate lamps	N			\$20.50	
307.122	Misd	A	4850005.0	Operated motor vehicle/trailer on highway while equipped w/device which emits electronic message	N			\$20.50	
307.125	Infr		4824206.0	Fail to display req lighted tail lamp, reflector, flashing light, lamp or lantern on animal-driven veh	N			\$20.50	
307.125	Infr		4824306.0	Fail to display required flashing light on animal-driven vehicle on highway	N			\$20.50	
307.127	Infr		4824606.0	Fail to display adequate triangular emblem in prop loc on animal-driven vehicle	N			\$20.50	
307.140	Misd	C	4802306.0	Operated school bus or vehicle designed/used to transport passengers for hire not equipped with safety glass	N		Fine not to exceed \$50 per offense	\$20.50	
307.145	Misd	C	4802406.0	Selling a passenger vehicle that is not a equipped with safety glass	N		Fine not to exceed \$50 per offense	\$20.50	
307.165	Misd		4825006.0	Failed to equip pass veh with 2 sets of front seat safety belts (motor bus excluded)	N			\$30.50	
307.170	Infr		4825606.0	Failed to equip mtr veh with a horn/maintain horn in good working order	N			\$20.50	
307.170	Infr		4826106.0	Failed to equip veh with muffler/adequate muffler/properly attached muffler	N			\$20.50	
307.170	Infr		4826606.0	Operated mtr veh with brakes not in good working order (2 sets except motorcycle)	N			\$20.50	
307.170	Infr		4827106.0	Failed to equip mtr veh with mirror to reveal road to rear (applies certain conditions)	N			\$20.50	
307.170	Infr		4827606.0	Failed to display red flag/lamp on projection exceeding 5 feet from vehicle	N			\$20.50	
307.170	Infr		4828306.0	Towed another veh with separation between greater than 15 ft	N			\$20.50	
307.170	Infr		4828406.0	Towed vehicle with improper secondary safety device	N			\$20.50	

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307.170	Infr		4828606.0	Operated mtr veh on highway with attached/towed hay transporting device in dangerous position	N			\$20.50	
307.170	Infr		4828906.0	Failed to display lighted headlamps/tail lamps on vehicle being towed	N			\$20.50	
307.170	Infr		4881106.0	Made unnecessary noise with mtr vehicle horn/whistle	N			\$20.50	
307.170	Infr		4881606.0	Operated mtr veh which emitted excessive and unnecessary noise	N			\$20.50	
307.170	Infr		4882206.0	Operated mtr vehicle with muffler cutout	N			\$20.50	
307.170	Infr		4947106.0	Operated comm mtr veh with equipment not complying with MVI regulations	N			\$80.50	
307.171	Infr		4882906.0	Operated mtr vehicle between April 1 and November 1 with studded tires	N			\$20.50	
307.172	Misd	C	4827806.0	Oper pass mtr veh with front/rear raised to angle to obstruct driver's vision of hwy	N			\$30.50	
307.172	Misd	C	4827206.0	Operated mtr veh with front/rear bumper(s) raised above maximum bumper height	N			\$30.50	
307.172	Misd	C	4827306.0	Operated mtr veh having bumper(s) as standard equipment w/o front/rear bumpers	N			\$30.50	
307.172	Misd	C	4827706.0	Oper mtr veh without properly equipped bumpers	N			\$30.50	
307.173	Misd	C	4847406.0	Oper mtr veh w/vis reducing matrl applied to windshield/ excessive vision reducing matrl applied to side window	N			\$30.50	
307.175	Misd	A	4829505.0	Used siren/blue lamp on mtr veh/other emergency equip when not responding to bona fide emergency	N			\$80.50	
307.175	Misd	A	4830005.0	Used siren/blue lamp on mtr veh w/o valid permit from chief fire dept/ ambulance association	N			\$80.50	
307.177	Misd	A	4948502.0	Oper comm veh when not in compliance with fed hazardous material regs	N		Vehicle placed out of service	\$130.50	
307.178	Infr		4736706.0	Driver/front seat passenger fail to wear properly adjusted/fastened safety belt	N		\$10 max fine; no court costs	\$10.00	
307.178	Infr		4737006	Driver fail to secure child less than 16 years old in properly adjusted/fastened restraint	N		\$10 max fine; no court costs	\$10.00	
307.178	Infr		4736806.0	Person under age 18 operating or riding in a truck fail to wear properly adjusted/fastened safety belt	N		\$10 max fine; no court costs	\$10.00	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.179	Infr		4735005.0	Viol Sec 307.179.2 (4) - driver fail to secure child 80 lbs or more or over 4' 9" in booster seat/safety belt	N		\$10 max fine; no court costs	\$10.00	
307.179	Infr		4735506.0	Viol Secs 307.179.2 (1), (2), or (3) - driver fail to secure child < 8 y/o in child restraint or booster seat <i>Note: If a driver receives a citation for violating subdivision (1), (2), or (3) of subsection 2 of this section, the charges shall be dismissed or withdrawn if the driver prior to or at his or her hearing provides evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the party responsible for prosecuting the driver's citation.</i>	N		\$50 max fine and court costs	\$20.50	
307.183	Infr		4830506.0	Failed to equip bicycle with brakes that will stop within 25 ft at 10 mph	N		Fine \$5-\$25	\$20.50	
307.185	Infr		4831006.0	Used bicycle without front lighted lamp/red rear reflector (or with inadequate lamp/reflector)	N		Fine \$5-\$25	\$20.50	
307.190	Infr		4781506.0	Failed to operate bicycle as near to right side of hwy as practicable	N		Fine \$5-\$25	\$20.50	
307.190	Infr		4782006.0	Failed to operate bicycle with due care when passing vehicle	N		Fine \$5-\$25	\$20.50	
307.191	Infr		4781206.0	Bicycle rider fail to operate a bicycle in the same direction as vehicles on roadway	N			\$20.50	
307.192	Infr		4781706.0	Bicycle rider fail to give hand signal before stop/decrease speed/turn/move rt/lt on roadway	N			\$20.50	
307.195	Misd	C	4782706.0	Operated motorized bicycle on hwy or street without valid driver's license	Y	2 6 4		\$20.50	
307.195	Misd	C	4782806.0	Operated motorized bicycle on interstate highway	Y	2		\$20.50	
307.198	Infr		4708306.0	Unlawfully operate ATV on highway without lighted headlamp and taillamp	N			\$20.50	
307.198	Infr		4708506.0	Unlawfully operate ATV on highway without properly mounted required equilateral triangular emblem	N			\$20.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.198	Infr		4708706.0	Unlawfully operate ATV without a breaking system in good operating condition	N			\$20.50	
307.198	Infr		4707706.0	Unlawfully operate ATV without a muffler system in good working condition and qualified spark arrester	N			\$20.50	
307.211	Infr		4782399.0	Operate an electric personal assistive mobility device on roadway when speed limit > 45 mph	N			\$20.50	
307.350	Misd		4610906.0	Failed to display certificate of vehicle inspection or approval	N			\$30.50	
307.360	Misd		4621706.0	Inspecting without a valid permit	N			Not FCC	
307.360	Misd		4621806.0	Inspecting at an unapproved location	N			Not FCC	
307.360	Misd		4882306.0	Exceed private inspection station auth by inspecting veh of person not listed in permit	N			Not FCC	
307.365	Misd		4621906.0	Charging excessive inspection fee	N			Not FCC	
307.365	Misd		4884906.0	Performed improper/incomplete veh inspection	N			Not FCC	
307.365	Misd		4884806.0	Performed unauthorized repairs	N			Not FCC	
307.365	Misd		4884706.0	Furnished/loaned/gave/sold veh inspection permit to unentitled person	N			Not FCC	
307.365	Misd		4885206.0	Poss stolen/counterfeit/illegally purchased veh inspection certificate/sticker	N			Not FCC	
307.365	Misd		4885306.0	Failed to surrender veh inspection station permit	N			Not FCC	
307.370	Misd		4623006.0	Making/issuing/knowingly using imitation/counterfeit inspection sticker/seal/ other device	N			Not FCC	
307.370	Misd		4885706.0	Issued cert of veh inspection or sticker without valid permit	N			Not FCC	
307.370	Misd		4886206.0	Displayed/permitted display of fictitious vehicle inspection certificate/sticker	N			Not FCC	
307.375	Misd		4739206.0	Operate school bus that was inspected and found unsafe w/o making corrections	Y	0		Not FCC	
307.380	Infr		4611406.0	Failed to have vehicle inspected immediately prior to sale	N			\$30.50	
307.390	Misd		4840806.0	Motor vehicle inspection violation	N			\$30.50	
307.400	Misd	B	4624406.0	Operated as motor carrier without medical certificate	N			\$80.50	



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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.400	Misd	B	4624306.0	Failed to keep proper/made false motor carrier driver's record - exceeded maximum driving time	N			\$105.50	
307.400	Misd	B	4625402.0	Failed to remain with/attend mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4625702.0	Smoked/carried lighted cigarette within 25 feet of mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4626302.0	Failed to properly mark mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4626802.0	Driver under 21 transported hazardous material	Y	2		\$80.50	
307.400	Misd	B	4631906.0	Driver used radar detector while in commercial motor vehicle	N			\$80.50	
307.400	Misd	B	4632006.0	Operate a comm motor vehicle equipped with and/or contained a radar detector	N			\$80.50	
307.400	Misd	B	4632106.0	Required or permitted driver to oper commercial mtr veh equipped with or containing a radar detector	N			\$80.50	
307.400	Misd	B	4840406.0	Operated mtr carrier veh with improper/ defective lights/signaling devices/ reflectors/electric devices	N			\$80.50	
307.400	Misd	B	4840706.0	Failed to properly install/protect/cover battery or wiring on mtr carrier veh	N			\$80.50	
307.400	Misd	B	4840606.0	Failed to equip mtr carrier veh with or maintain required brake system	N			\$130.50	
307.400	Misd	B	4840506.0	Oper mtr carrier veh w/vision reducing damage/vision discoloration/glazing covered	N			\$80.50	
307.400	Misd	B	4843806.0	Failed to properly mount/secure/vent/ maintain fuel tank/lines on mtr carrier veh	N			\$80.50	
307.400	Misd	B	4844206.0	Operated mtr carrier veh with 5th wheel in position to interfere with safety or weight	N			\$80.50	
307.400	Misd	B	4844806.0	Oper mtr carrier veh on tires with fabric exposed/inferior load rate/groove dept	N			\$80.50	
307.400	Misd	B	4845306.0	Operate mtr carrier vehicle with wipers not in condition to provide clear driver vision	N			\$80.50	
307.400	Misd	B	4845806.0	Operated mtr carrier veh in ice/snow/frost conditions without a defrosting device	N			\$80.50	
307.400	Misd	B	4846306.0	Failed to equip mtr carrier veh with mirrors capable of reflecting clear rear view	N			\$80.50	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.400	Misd	B	4847306.0	Operate or dispatch mtr carrier veh knowing defect in exhaust could be hazardous to occupant	N			\$80.50	
307.400	Misd	B	4845906.0	Failed to display red flag or lamp on projection exceeding 4 feet from mtr carrier veh	N			\$80.50	
307.400	Misd	B	4846506.0	Failed to equip mtr carrier power unit with fire extinguisher properly filled/ accessible	N			\$80.50	
307.400	Misd	B	4846606.0	Failed to equip mtr carrier veh with devices to assure load would not shift/ fall	N			\$130.50	
307.400	Misd	B	4846906.0	Operated commercial motor vehicle while driver is subject to an out-of-service order	N			\$80.50	
307.400	Misd	B	4846406.0	Operated motor carrier veh with improper/defective tow bar/5th whl/saddle mount/pintle	N			\$80.50	
307.400	Misd	B	4846706.0	Oper comm mtr veh/trl declared out-of-service for inadequate/defective equip/hazardous material markings	N			\$80.50	
307.400	Misd	B	4850306.0	Operating commercial motor vehicle without seatbelt	N			\$30.50	
307.400	Misd	B	4846806.0	Misc Fed Mtr Carrier Code - any fed mtr carrier charge not itemized in this section shall be assigned this code	N			\$80.50	
307.400	Misd	B	4850406.0	Operated mtr carrier veh with unsafe/improper frame/suspension/axle/wheel/ rim and or steering system	N			\$130.50	

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STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
311.050	Misd		3331001._ Manufacture liquor without proper license	N			Not FCC	
311.060	Misd		3302599._ Failure of licensee to report employment of convicted felon	N			Not FCC	
311.097	Misd		3312004._ Viol of provisions relating to Sunday sale of liquor in restaurant bar before hour	N			Not FCC	
311.100	Misd		3323002._ Sale by the drink without license original package	N			Not FCC	
311.180	Misd		3309099._ Manufacture or sale of liquor without license	N			Not FCC	
311.191	Misd	C	3308599._ Failure by vintage wine auctioneer to establish source of wine	N			Not FCC	
311.196	Misd		3319502._ Sell 32 ounces or more of beer in violation of this section	N			Not FCC	
311.200	Misd		3320002._ Consumption of liquor on premises where sold	N			Not FCC	
311.220	Misd		3309199._ Fail to pay county treasury of permit/license a fee not exceeding corresponding state fee or in municipality a fee not exceeding 1 1/2 times state fee	N			Not FCC	
311.240	Misd	A	3309599.0 Conducting business without federal receipt affixed to liquor license	N			Not FCC	
311.270	Misd		3315004._ Possession of intoxicating liquor when licensed to sell malt liquor only	N			Not FCC	
311.280	Misd		3317099._ Purchasing liquor from someone other than wholesaler	N			Not FCC	
311.290	Misd		3301099._ After hours/Sunday sales of liquor-failure to keep a closed place	N			Not FCC	
311.300	Misd		3306099._ Minor selling intoxicating liquor	N			Not FCC	
311.300	Misd		3307099._ Permit minor to sell non-intoxicating beer	N			Not FCC	
311.310	Misd		3303099._ Supplying liquor to a minor or intoxicated person	N		Fine \$50-\$100; 1 yr jail max	Not FCC	
311.310	Misd	A	3303399._ Ownr/occupant/othr persn/legl entity knwng allow/fail to stop persn <21drink/possess intox liquor-2nd/sub ofns	N			Not FCC	
311.310	Misd	B	3303799._ Owner/occupant/other person/legal entity knwng allow/fail to stop person < 21 drink/possess intoxicating liquor - 1st ofns	N			Not FCC	
311.320	Misd		33022_._ Misrepresentation of age by minor to obtain liquor	N		Fine of \$500 for each separate offense if minor uses altered ID for purpose of purchasing liquor	Not FCC	
311.325	Misd		3304599._ Minor visibly intox / Blood Alcohol Content more than .02% - 1st offense	N		Fine \$50-\$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.325	Misd		3304699._ Minor visibly intox / Blood Alcohol Content more than .02% - 2nd or subsequent offense	*		Fine \$50-\$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	

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STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
311.325	Misd		3304099._	Purchase/attempt purchase or possession of liquor by minor - 1st offense	N		Fine \$50-\$100; 1 yr jail max	Not FCC
311.325	Misd		3304199._	Purchase/attempt purchase or possession of liquor by minor	*		Fine \$50-\$100; 1 yr jail max	Not FCC
311.328	Misd		4667106.0	Reproduce/alter/modify/misrepresent w/o authorization any oper's license or ID card issued by DOR	N		Fine \$50-\$100; 1 yr jail max	Not FCC
311.329	Misd	A	4668006.0	Person < 21 yrs possess reproduced, modified or altered driver's lic, military ID, or identification card	N			Not FCC
311.330	Misd		3333099._	Possession of liquor not authorized in license	N			Not FCC
311.333	Misd		3333399._	Fail to provide information regarding liquor as required by this section	N			Not FCC
311.335	Misd		3333502._	Offer to sell or purchase close-out liquor merchandise in violation of this section	N			Not FCC
311.338	Misd		3334099._	Violation of wholesale price regulations	N			Not FCC
311.360	Misd		3308099._	Misrepresentation of brand of liquor	N			Not FCC
311.480	Misd		3310099._	Liquor sales without license-permitting consumption by minor/after hours/on Sunday	N			Not FCC
311.490	Misd		3321301.0	Brew/manufacture/sell beer/malt liquor w/ingredients not in compliance w/standards in Sec 311.490	N			Not FCC
311.550	Misd		3329099._	Failure to destroy empty liquor containers	N			Not FCC
311.580	Misd		3313004._	Possession of illegal or untaxed liquor alcohol	N			Not FCC

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STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
390.041	Misd		4634306.0 Operate as common/contract carrier in intrastate commerce w/o document for load	N			\$80.50	
390.041	Misd		4635806.0 Operated mtr carrier veh leased to shipper/receiver	N			\$80.50	
390.041	Misd		4636106.0 Operate leased mtr carrier veh w/o copy of lease in veh/with expired lease markings	N			\$80.50	
390.041	Misd		4637306.0 Displayed altered/erased/undated cab card with motor carrier vehicle	N			\$80.50	
390.041	Misd		4955006.0 Fail to display name and permit/certificate number on both sides of mtr carrier veh	N			\$80.50	
390.051	Misd		4611306.0 Operated as common carrier in intrastate commerce w/o Highways and Transportation Commission certification	N			\$80.50	
390.061	Misd		4612206.0 Operated as contract carrier in intrastate commerce without Highways and Transportation Commission certification	N			\$80.50	
390.063	Misd		4848106.0 Failed to equip commercial passenger- carrying vehicle with proper/adequate emergency equipment	N			\$80.50	
390.063	Misd		4848206.0 Oper commercial passenger-carrying vehicle w/o required emergency markings for escape doors/windows	N			\$80.50	
390.063	Misd		4848906.0 Operated commercial passenger-carrying vehicle with improper/defective coupling device articulated	N			\$80.50	
390.066	Misd	A	4686006.0 Knowingly allow person to drive a comm veh while the person's lic is suspended/revoked/cancelled	Y	4		Not FCC	
390.071	Misd		4613106.0 Operated as motor carrier in interstate commerce without PSC permit	N			\$80.50	
390.136	Misd		4616606.0 Oper mtr carrier without regulatory or 72 hour lic accompanying	N			\$80.50	
390.136	Misd		4616706.0 Displayed altered/fraudulent/incomplete PSC decal/or affixed decal nonpermanent	N		Maximum fine \$100	\$80.50	
390.136	Misd		4617006.0 Failed to transfer PSC stamp/cab card to substitute motor carrier vehicle	N		Maximum fine \$100	\$80.50	
390.171	Misd	A	46040___. Miscellaneous motor carrier violation	N		Maximum fine \$100	\$80.50	
390.330	Misd		5413299._ Make restricted info of MODOT avail to public w/o an order from div director or an admin law judge	N			Not FCC	

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Fel	D	4741004.0	DWI - alcohol - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 30 days</b> - Unless ordered to perform <b>60 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	A	4741504.0	DWI - alcohol - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 10 days</b> - Unless ordered to perform <b>30 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	B	4741704.0	DWI - alcohol - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 2 Years</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	C	4741804.0	DWI - alcohol - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 60 Days</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	B	4742004.0	DWI - alcohol	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation. If over .15% BAC see DWI section for additional information.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Fel	B	4742303.0	DWI - drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 2 Years</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	C	4742703.0	DWI - drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 60 Days</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	D	4743003.0	DWI - drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 30 days</b> Unless ordered to perform <b>60 days</b> community service on probation/parole.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	A	4743503.0	DWI - drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 10 days</b> - Unless ordered to perform <b>30 days</b> community service on probation/parole.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	B	4744003.0	DWI - drug intoxication	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	B	4744399.0	DWI - combined alcohol/drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 2 Years</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Fel	C	4744799.0	DWI - combined alcohol/drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 60 Days</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Fel	D	4745099.0	DWI - combined alcohol/drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 30 days</b> Unless ordered to perform <b>60 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	A	4745599.0	DWI - combined alcohol/drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 10 days</b> - Unless ordered to perform <b>30 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010	Misd	B	4746099.0	DWI - combined alcohol/drug intoxication	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation. If over .15% BAC see DWI section for additional information.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012	Fel	B	4746304.0	Excessive BAC - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 2 Years</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012	Fel	C	4746704.0	Excessive BAC - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>NO PROBATION OR PAROLE until serving Minimum sentence 60 Days</b>	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense



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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.012	Fel	D	4747004.0	Excessive BAC - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 30 days</b> Unless ordered to perform <b>60 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012	Misd	A	4747504.0	Excessive BAC - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. <b>Minimum sentence 10 days</b> - Unless ordered to perform <b>30 days</b> community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012	Misd	B	4748104.0	Excessive BAC	Y	8 – 1st offense 12 – 2nd offense	If over .15% BAC see DWI section for additional information.	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.017	Infr		4749705.0	Drinking alcoholic beverage while operating moving vehicle upon hwy	N			Not FCC	
577.041	Misd	A	4674006._	Operate motor vehicle while license revoked/suspended for failure to maintain proof of ignition interlock device due to chemical test refusal	Y	12	1 year revocation	Not FCC	
577.041	Misd	A	4675006._	Operate motor vehicle while license revoked/suspended for failure to maintain proof of financial responsibility due to chemical test refusal	Y	12	1 year revocation	Not FCC	
577.051	Misd	C	2953506.0	Willfully refuse to furnish required alcohol/drug related records to hwy patrol/DOR	N			Not FCC	
577.060	Fel	D	4886501.0	Leaving scene of motor vehicle accident--injury, property damage or 2nd ofns	Y	12	1 year revocation	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

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STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.060	Misd	A	4886601.0	Leaving scene of motor vehicle accident	Y	12	1 year revocation	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.065	Misd	A	4709501.0	Fail to stop and report ATV accident to prop ownr/injur person or police officer/law enforcmnt agency	Y	2		Not FCC	
577.065	Fel	D	4886701._	Leaving scene of ATV accident--death or 2nd ofns	Y	12	1 year revocation	Not FCC	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.065	Misd	A	4886801._	Leaving scene of ATV accident--injury	Y	2	1 year revocation	Not FCC	
577.068	Fel	D	3101699._	Leaving the scene of a shooting - prior offender	*	12	1 year revocation	Not FCC	
577.068	Misd	A	3101799._	Leaving the scene of a shooting - 1st offense	N			Not FCC	
577.070	Misd	A	3606099._	Littering	N			Not FCC	
577.073	Misd		5474099._	Littering waters/injure plants or historical objects/deface objects/selling in state parks	N			Not FCC	
577.076	Misd	B	3604399._	Littering w/carcass-put into any well,spring,pond, etc or any nuisnce in or near public road, hwy, etc not ones own	N			Not FCC	
577.080	Misd	A	4887006.0	Abandon mtr veh or trailer	N			Not FCC	
577.110	Misd		4661905._	Person under sixteen years of age operating vehicle on highway	Y	2		Not FCC	
577.600	Misd	A	4842406.0	Fail to comply with court order requiring use of ignition interlock device-1st ofns	Y	2	1 year revocation, including SIS.	Not FCC	
577.600	Misd	A	4842706.0	Fail to comply with court order requiring use of ignition interlock devic-2nd ofns	Y	2	5 year revocation, including SIS.	Not FCC	
577.612	Misd	A	4842206.0	Violation of ignition interlock restrictions	Y	2		Not FCC	
577.625	Misd	A	5902699._	Distbtion of prescption med by person < 21 on public/private school property or school bus - 2nd or sub ofns	N			Not FCC	
577.625	Misd	B	5902799._	Distbtion of prescption med by person < 21 on public/private school property or school bus	N			Not FCC	
577.628	Misd	B	5902899._	Possession prescription med by person < 21 on public/private school property/school bus - 2nd/ofns	N			Not FCC	
577.628	Misd	C	5902999._	Possession prescription med by person < 21 on public/private school property/school bus	N			Not FCC	

# **ORDINANCE VIOLATIONS**

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9061099.0	Operate ATV upon a highway/street not authorized	Y
Ordin	9061599.0	Operate ATV carrying a passenger	Y
Ordin	9062099.0	Operate ATV without proper bicycle safety flag	N
Ordin	9063099.0	Operate ATV within a stream or river	N
Ordin	9063599.0	Operate ATV on highway without operator or chauffeur license	Y
Ordin	9064099.0	Operate ATV on private property without consent of property owner	N
Ordin	9064599.0	Person < 16 yrs old oper ATV not accmpnd/under supervision of parent/guardian or auth person	N
Ordin	9065599.0	Operate ATV on hwy in excess of 30 mph	Y
Ordin	9066599.0	Person under 18 yrs of age oper ATV w/out securely fastened safety helmet on head	N
Ordin	9067599.0	Operate ATV in careless way endangering person or property of another	Y
Ordin	9068599.0	Operate ATV while under the influence of alcohol	Y
Ordin	9068799.0	Operate ATV while under influence of controlled substance	Y
Ordin	9069099.0	Miscellaneous ATV violation	N
Ordin	9081099.0	Operate motor vehicle in careless and reckless manner	Y
Ordin	9083099.0	Operate MV in careless & imprudent manner - involving an accident	Y
Ordin	9084099.0	Inattentive driving	Y
Ordin	9085099.0	Fail to remain in moving vehicle	Y
Ordin	9100599.0	Cause/knowingly permit child/ward under age 16 to drive motor vehicle	Y
Ordin	9101099.0	Expired license	Y
Ordin	9101599.0	Operate vehicle on highway without valid or no license	Y
Ordin	9102599.0	Oper motorcycle when driver's license not validated for such - 1st or 2nd ofns	Y
Ordin	9102799.0	Oper veh without maintaining financial responsibility	Y
Ordin	9102899.0	Oper veh knowing owner has not maintained financial responsibility	Y
Ordin	9103099.0	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y
Ordin	9103299.0	Improper CDL class	Y
Ordin	9103599.0	Operate commercial motor veh without valid commercial drivers license	Y
Ordin	9104099.0	Operate commercial motor vehicle with a suspended/ revoked/cancelled license	Y
Ordin	9105099.0	Permitted invalidated licensee to operate motorcycle	Y
Ordin	9105599.0	Failed to comply w/condition of restricted drivers license (for vision)	Y
Ordin	9106099.0	Operate motor veh w/o obtaining new drivers license after being revoked/suspended	Y
Ordin	9106599.0	Displayed/possessed fictitious/cancelled/suspended/revoked/alterd driver license	Y
Ordin	9107099.0	Reproduce/alter/modify/misrepresent operator license or ID card issued by DOR	Y

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9107599.0	Represented the drivers license of another person to be his/hers	Y
Ordin	9108099.0	Loaned drivers license to another person	N
Ordin	9108299.0	Fail to produce license on demand	Y
Ordin	9108399.0	Forge/misrepresent mtr veh accid/fin resp infor to DOR knowingly	N
Ordin	9108599.0	Provided fraudulent information in application for drivers license	Y
Ordin	9109099.0	Driving While Revoked or Driving While Suspended	Y
Ordin	9109599.0	Oper school bus while permit suspended (suspended for failure to pass drug alcohol or chemical test)	Y
Ordin	9110099.0	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y
Ordin	9110599.0	Failure to comply with temporary instructions/driver permit	N
Ordin	9110799.0	Driving while license revoked (suspended for stealing motor fuel)	Y
Ordin	9111099.0	Operated motor veh on hwy while drivers license/ privilege revoked (for abuse and lose law)	Y
Ordin	9111599.0	Operated motor veh on hwy while drivers license/ privilege revoked (points/failure to take test)	Y
Ordin	9112299.0	Oper mtr veh on hwy while driver license/privilege revkd (revkd for prob cause of .08% BAC and zero tolerance)	Y
Ordin	9112799.0	Oper mtr veh on hwy while driver license/privilege revkd (suspnd for prob cause .08% BAC and zero tolerance)	Y
Ordin	9113099.0	Operated motor veh on hwy while drivers license/ privilege revoked (suspended for points)	Y
Ordin	9113599.0	Operate motor veh on hwy while drivers license/ privilege suspended (for improprieties in compact state)	Y
Ordin	9114099.0	Operate motor veh while suspended or revoked after failing exam/failing to submit to exam required by DOR	Y
Ordin	9114599.0	Oper mtr veh on hwy while driver lic/priv revkd (suspended for nonappear/nonpayment of court fines/costs)	Y
Ordin	9115099.0	Oper mtr veh on hwy while driver license/privilege revkd (suspended for nonpayment of child support)	Y
Ordin	9115599.0	Oper comm mtr veh while driver privilege are suspended, revoked, cancelled from oper comm mtr veh	Y
Ordin	9115799.0	Oper comm mtr veh while driver privileges are disqualified from oper comm mtr veh	Y
Ordin	9116099.0	Operate motor veh on hwy while driver license suspended	Y
Ordin	9116599.0	Operate motor vehicle on highway while driver's registration suspended	N
Ordin	9117099.0	Miscellaneous driving license violation	N

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9141004.0	Excessive BAC	Y
Ordin	9141504.0	Excessive BAC - prior offender	Y
Ordin	9142504.0	Drove comm mtr veh - BAC over .04%	Y
Ordin	9142703.0	Drove comm motor veh under influence of controlled substance	Y
Ordin	9143099.0	Drinking alcoholic beverage while operating moving vehicle	Y
Ordin	9143504.0	DWI - alcohol	Y
Ordin	9144004.0	DWI - alcohol - prior offender	Y
Ordin	9145003.0	DWI - drug intoxication	Y
Ordin	9145503.0	DWI - drug intoxication - prior offender	Y
Ordin	9146599.0	DWI - combined alcohol/drug intoxication	Y
Ordin	9147099.0	DWI - combined alcohol/drug intoxication - prior offender	Y
Ordin	9148099.0	Failed to comply with court order requiring use of ignition interlock device- 1st ofns	Y
Ordin	9148599.0	Failed to comply with court order requiring use of ignition interlock device-2nd ofns	Y
Ordin	9149099.0	Violation of ignition interlock restrictions	Y
Ordin	9161099.0	Drive across fire hose in use	Y
Ordin	9163099.0	Following fire vehicle	Y
Ordin	9190599.0	Improper backing	Y
Ordin	9190799.0	Weaving	Y
Ordin	9191099.0	Failed to drive on right half of roadway when roadway was of sufficient width	Y
Ordin	9191599.0	Failed to drive within single lane	Y
Ordin	9192099.0	Drove veh to left side of roadway when view obstructed by hill/curve	Y
Ordin	9192599.0	Drove veh to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y
Ordin	9193099.0	Drove vehicle to left side of roadway within 100 ft of intersec/railroad grade crossing	Y
Ordin	9193299.0	Failure to obey RR restrictions	Y
Ordin	9193599.0	Fail to stop loaded bus or haz/inflam/corrosive materials truck for RR grade crossing	Y
Ordin	9194099.0	Made U-turn/interfered w/traffic where vision less than 300 ft - traffic hazard created	Y
Ordin	9194599.0	Failed to drive within single lane - cause immediate threat of accident	Y
Ordin	9195099.0	Failed to drive within single lane - resulting in an accident	Y
Ordin	9195599.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic	Y
Ordin	9196099.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-cause immediate threat of accident	Y
Ordin	9196599.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-resulting in accident	Y

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9197099.0	Drove wrong direction on street	Y
Ordin	9197599.0	Drove wrong direction on street - cause immediate threat of accident	Y
Ordin	9198099.0	Drove wrong direction on street - resulting in an accident	Y
Ordin	9198599.0	Failed to drive on right half of rdwy when rdwy was sufficient width-cause immediate threat of accident	Y
Ordin	9199099.0	Failed to drive right half of rdwy when rdwy was of sufficient width-resulting in an accident	Y
Ordin	9199399.0	Failure to stay on pavement	Y
Ordin	9199599.0	Illegal/improper turning	Y
Ordin	9200099.0	Turned right on red signal where prohibited by sign	Y
Ordin	9200599.0	Fail to signal/gave improper signal when stopping/ turning left or right	Y
Ordin	9201099.0	Entered/traveled in a lane over which a red signal was shown	Y
Ordin	9201299.0	Oper electric personal assistive mobility device on roadway when speed limit > 45 mph	Y
Ordin	9201599.0	Made U-turn not at crossover	Y
Ordin	9202099.0	Made U-turn at intersec controlled by traffic signal/police officer	Y
Ordin	9202599.0	Made U-turn not at crossover - cause immediate threat of accident	Y
Ordin	9203099.0	Made U-turn not at crossover - resulting in accident	Y
Ordin	9203599.0	Followed another vehicle too closely	Y
Ordin	9203799.0	Overtake/pass a motor vehicle within a work or construction zone on a hwy divided into two or more lanes	Y
Ordin	9204099.0	Improper lane use	Y
Ordin	9204599.0	Truck over 18000 lbs followed another vehicle too closely	Y
Ordin	9205099.0	Followed another bus/truck closer than 300 ft	Y
Ordin	9205599.0	Fail to yield after stopping to vehicle that entered intersec/so close to cause hazard	Y
Ordin	9206099.0	Improper passing of a streetcar	Y
Ordin	9206599.0	Changed lanes when movement could not be made with safety	Y
Ordin	9207099.0	Changed lanes when movement could not be made with safety - cause immed threat of accident	Y
Ordin	9207599.0	Changed lanes when movement could not be made with safety-resulting in accident	Y
Ordin	9208099.0	Pass vehicle on right/traveled off main portion of road	Y
Ordin	9208599.0	Pass vehicle/interfered with approaching traffic	Y
Ordin	9209099.0	Stopped/slowed speed/turned from direct course/moved veh right/left when unsafe	Y
Ordin	9209599.0	Operate/transport implements of husbandry on roadway between sunset and sunrise	N

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9210099.0	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y
Ordin	9210599.0	Fail to stop for school bus receiving/discharging school children	Y
Ordin	9211099.0	Oper truck w/person under 18 yrs of age riding in unenclosed bed of truck	N
Ordin	9211599.0	Drove comm veh with willful/wanton disregard for safety	Y
Ordin	9211899.0	Engage in speed competition	Y
Ordin	9212099.0	Hazardous driving - accident	Y
Ordin	9215099.0	Hazardous driving - other	Y
Ordin	9217099.0	Person 21 years old or less operate moving motor vehicle while sending/reading/texting on mobile electronic device	Y
Ordin	9221099.0	No headlights when required	Y
Ordin	9221399.0	Failure to dim lights	Y
Ordin	9221599.0	Defective equipment	N
Ordin	9222099.0	Miscellaneous hazardous vehicular conditions	N
Ordin	9222502.0	Violate out-of-service order while transporting hazardous materials - 1st ofns	Y
Ordin	9223002.0	Viol out-of-service order while transporting hazardous materials-2nd/subs ofns	Y
Ordin	9223599.0	Viol out-of-state order while oper mtr veh designd to transport more than 15 passengers include driver-1st ofns	Y
Ordin	9224099.0	Viol out-of-service order while oper mtr veh designed to transport > 15 passngs include driv - 2nd/subsqnt ofns	Y
Ordin	9231599.0	Excessive noise	N
Ordin	9272099.0	Minor in possession	N
Ordin	9272599.0	Minor visibly intoxicated/BAC 0.2% or more	*
Ordin	9273099.0	Public intoxication	N
Ordin	9273599.0	Open container	*
Ordin	9274099.0	Possess alcohol	N
Ordin	9274599.0	Miscellaneous alcohol	N
Ordin	9275099.0	Supplying alcohol to a minor	N
Ordin	9281099.0	More than 1 on motorcycle - prohibited	N
Ordin	9282099.0	Operate motorized bicycle on hwy/street without valid drivers license	Y
Ordin	9283099.0	Operate motorized bicycle on interstate highway	Y
Ordin	9284099.0	Fail to wear protective headgear when on motorcycle in motion/wear approved gear	N
Ordin	9285099.0	Miscellaneous motorcycle violation	N



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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9290199.0	Fail to obey traffic control devices	Y
Ordin	9290599.0	Red light violation	Y
Ordin	9291099.0	Fail to stop at stop sign at stop line/before crosswalk/point nearest intersec	Y
Ordin	9291299.0	Fail to stop at stop sign at stop line/before crosswalk/point nearest intersection - county	Y
Ordin	9291599.0	Fail to turn as directed or required by intersec traffic control device	Y
Ordin	9292099.0	Fail to make/approach for right turn as close as practicable to right curb/edge of rdwy	Y
Ordin	9292599.0	Failed to proceed with caution past flashing yellow signal	N
Ordin	9293099.0	Failed to stop for flashing red signal at stop line/ crosswalk/point nearest intersec	Y
Ordin	9293599.0	Failed to stop for steady red signal at crosswalk/ stop line/point nearest intersec	Y
Ordin	9294099.0	Failed to obey official signs temporarily designating lanes	Y
Ordin	9294599.0	Fail to obey official signs temporarily designating lanes-cause immediate threat of accident	Y
Ordin	9295099.0	Failed to obey official signs temp designating lanes - resulting in an accident	Y
Ordin	9295599.0	Cut in on overtaken vehicle	Y
Ordin	9296599.0	Failed to yield	Y
Ordin	9297099.0	Fail to slow to reasonable speed for existing conditions or stop for yield sign	Y
Ordin	9297599.0	Fail to yield to veh that had entered intersec with no traffic control	Y
Ordin	9298099.0	Fail to yield right of way to pedestrian facing walk signal	Y
Ordin	9298599.0	Fail to yield to approaching veh when entering/ crossing hwy from alley/driveway	Y
Ordin	9300099.0	Fail to yield to approaching veh when turning left into alley/private road/driveway	Y
Ordin	9300599.0	Fail to yield right of way to veh/pedestrian lawfully in controlled intersec/crosswalk	Y
Ordin	9301099.0	Fail to yield to veh on right that entered intersec at approximately same time	Y
Ordin	9301599.0	Fail to yield to veh approaching from opposite direction when turning left	Y
Ordin	9302099.0	Fail to yield to blind pedestrian with guide dog or white cane	Y
Ordin	9302599.0	Fail to yield to emergency veh sounding audible siren signl/disply lighted visible red/blue light	Y
Ordin	9302799.0	Excessive acceleration	Y
Ordin	9303099.0	Drive/funeral procession	Y
Ordin	9303599.0	Fail to yield right of way to organized funeral procession	Y
Ordin	9304099.0	Fail to stop or obey reasonable signal direction of hwy patrolman	Y
Ordin	9304599.0	Oper motor veh (required to have alternative fuel decal) on the hwy w/o valid decal	N
Ordin	9305099.0	Oper as an inter-state motor fuel user without being licensed as such	N
Ordin	9305599.0	Activated siren/warning lights on emergency veh when not in pursuit/on an emergency mission	Y
Ordin	9306099.0	Failed to make/approach for left turn within proper lane	Y

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9306599.0	Failed to stop at railroad tracks	Y
Ordin	9306799.0	Fail to slow at RR crossing	Y
Ordin	9306999.0	Fail to stop before RR crossing	Y
Ordin	9307099.0	Oper motor veh in a non-designated area in a park	Y
Ordin	9307299.0	Insufficient space to drive through RR	Y
Ordin	9307499.0	Insufficient undercarriage clearance RR crossing	Y
Ordin	9307599.0	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y
Ordin	9308099.0	Miscellaneous moving violation	N
Ordin	9310099.0	Violation of restrictions/regulations regarding tow trucks	Y
Ordin	9321001.0	Leaving the scene of a motor vehicle accident	Y
Ordin	9321501.0	Leaving the scene of a motor veh accident - injury/ property damage - 2nd ofns	Y
Ordin	9322001.0	Leaving the scene of ATV accident - injury	Y
Ordin	9322501.0	Leaving the scene of ATV accident - death or 2nd ofns	Y
Ordin	9323099.0	Oper comm mtr veh while driver is subject to an out-of-service order	Y
Ordin	9323599.0	Oper a comm mtr veh during continuous 24 hr out-of-service period - 2nd ofns	Y
Ordin	9324099.0	Oper a comm mtr veh during continuous 24 hr out-of-service period-3rd/subs ofns	Y
Ordin	9324599.0	Miscellaneous non-hazardous driving	N
Ordin	9325099.0	Obstructing traffic	Y
Ordin	9331099.0	Equipment violation	N
Ordin	9331599.0	Excessive noise from squealing tires - vehicular	Y
Ordin	9332099.0	Miscellaneous blocking of vehicle	N
Ordin	9332599.0	Cruising	Y
Ordin	9333099.0	Miscellaneous non-hazardous vehicle violation	N
Ordin	9340599.0	Failed to report accident	Y
Ordin	9341099.0	Failed to stop and report ATV accident to prop owner/injured person/police officer/law enforcemnt agency	Y
Ordin	9341599.0	Failed to place veh not in motion as near right hand side of road as practicable	N
Ordin	9342099.0	Fail to place veh not in motion as near right hand side of road as practicable - cause immed threat of accident	N
Ordin	9342599.0	Failed to place veh not in motion as near right hand side of road as practicable - resulting in accident	N
Ordin	9342799.0	Public safety violation - red light camera (no points)	N
Ordin	9343099.0	Miscellaneous non-moving violation	N

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9351099.0	Contempt	N
Ordin	9352099.0	Fail to appear	N
Ordin	9353099.0	Fail to obey lawful order	N
Ordin	9353599.0	Fail to pay fine and costs	N
Ordin	9354099.0	Interfere with judicial process	N
Ordin	9355099.0	Miscellaneous - obstructing judicial process	N
Ordin	9361099.0	Angle parking violation	N
Ordin	9362099.0	Overtime parking	N
Ordin	9363099.0	Parking - prohibited time	N
Ordin	9364099.0	Handicapped parking violation	N
Ordin	9365099.0	Illegal park - taxi/limo/bus stand	N
Ordin	9366099.0	Parked causing obstruction	N
Ordin	9367099.0	Parked in area not designated for such parking	N
Ordin	9368099.0	Parked in "no-parking" zone	N
Ordin	9369099.0	Illegal parking - residential street/alley	N
Ordin	9370099.0	Miscellaneous parking violation	N
Ordin	9411099.0	Bicycle violation	N
Ordin	9412099.0	Bicycle violation - accident	N
Ordin	9413099.0	Miscellaneous pedestrian violation	N
Ordin	9414099.0	Hazardous pedestrian violation	N
Ordin	9451099.0	Expired plates	N
Ordin	9453099.0	Failed to register vehicle	N
Ordin	9454099.0	Vehicle license/inspection/title	N
Ordin	9481099.0	Driver of mtr veh failed to wear properly adjusted/ fastened safety belt	N
Ordin	9481799.0	Driver fail to secure child 80 pounds or more OR over 4 feet 9 inches in booster seat or safety belt	N
Ordin	9481999.0	Driver fail to secure child who is less than 8 years old in a child restraint or booster seat	N
Ordin	9482099.0	Person < 18 yrs of age operating/riding in truck failed to wear properly adjusted/fastened seat belt	N
Ordin	9485099.0	Seat belt violation - other	N
Ordin	9493099.0	Indecent exposure violation	N
Ordin	9500599.0	Speeding - school zone (1 - 5 mph over)	Y
Ordin	9501099.0	Speeding - school zone (6-10 mph over)	Y
Ordin	9501599.0	Speeding - school zone (11-15 mph over)	Y

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9502099.0	Speeding - school zone (16-20 mph over)	Y
Ordin	9502599.0	Speeding - school zone (21-25 mph over)	Y
Ordin	9503099.0	Speeding - school zone (26-30 mph over)	Y
Ordin	9503599.0	Speeding - school zone (31-35 mph over)	Y
Ordin	9504099.0	Speeding - school zone (36 mph and over)	Y
Ordin	9510599.0	Speeding - construction zone (1-5 mph over)	Y
Ordin	9511099.0	Speeding - construction zone (6-10 mph over)	Y
Ordin	9511599.0	Speeding - construction zone (11-15 mph over)	Y
Ordin	9512099.0	Speeding - construction zone (16-20 mph over)	Y
Ordin	9512599.0	Speeding - construction zone (21-25 mph over)	Y
Ordin	9513099.0	Speeding - construction zone (26-30 mph over)	Y
Ordin	9513599.0	Speeding - construction zone (31 mph and over)	Y
Ordin	9520599.0	Speeding (1-5 mph over)	Y
Ordin	9521099.0	Speeding (6-10 mph over)	Y
Ordin	9521599.0	Speeding (11-15 mph over)	Y
Ordin	9522099.0	Speeding (16-19 mph over)	Y
Ordin	9522599.0	Speeding (20-25 mph over)	Y
Ordin	9523099.0	Speeding (26-30 mph over)	Y
Ordin	9523599.0	Speeding (31-35 mph over)	Y
Ordin	9524099.0	Speeding (36-40 mph over)	Y
Ordin	9524599.0	Speeding (41-45 mph over)	Y
Ordin	9525099.0	Speeding (46-50 mph over)	Y
Ordin	9525599.0	Speeding (51 mph and over)	Y
Ordin	9540099.0	Miscellaneous speeding - traffic camera (no points)	N
Ordin	9550099.0	Miscellaneous speeding	N
Ordin	9621099.0	Discharging/shooting a firearm at or from a motor vehicle - physical injury/death	N
Ordin	9622099.0	Discharging/shooting a firearm at or from a motor vehicle	N
Ordin	9630599.0	Deceiving law enforcement officer	N
Ordin	9631099.0	Resisting arrest	N
Ordin	9632099.0	Misusing "911"	N
Ordin	9632599.0	Eluding police officer	Y
Ordin	9633099.0	Gave false information to officer	Y

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TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9639099.0	Miscellaneous obstructing police	N
Ordin	9640599.0	Contributing to delinquency of minor	N
Ordin	9642099.0	Endangering welfare of child	N
Ordin	9802099.0	Increased speed while being passed	Y
Ordin	9803099.0	Knowingly fail to prov DOR w/in 10 days the notification reqs of a bus driver who failed to pass drug/alcohol test	N
Ordin	9804099.0	Falsifying odometer reading	N
Ordin	9805099.0	Odometer fraud - 1st degree	N
Ordin	9806099.0	Odometer fraud - 2nd degree	N
Ordin	9807099.0	Odometer fraud - 3rd degree	N
Ordin	9808099.0	Removing/altering posted notice in vehicle indicating true mileage	N
Ordin	9809099.0	Miscellaneous ordinance violation	N

**INFRACTIONS**

## **INFRACTIONS**

### **SECTION 556.021 RSMo**

- Infraction is not a crime, no jail time imposed
- Possible penalties include fine, court costs or forfeiture
- Filed by the Prosecuting Attorney or City Attorney
- No jury trial
- Process pursuant to Supreme Court Rule 19.08 for misdemeanor
- Burden of proof is “beyond reasonable doubt”
- Warrant may issue if party fails to appear
- Beginning January 1, 2012, civil enforcement of infractions is an option. This allows the PA to file infractions by civil action, allows for a default judgment for parties who do not appear instead of the issuance of a warrant; and decreased the burden of proof to a “preponderance of the evidence.” Collection of fines and costs through tax offset and debt collection will be available if a payment plan is established.
- “Infraction like” first offenses (fine only, no jail time) include:
  - Section 302.020 RSMo
    - Operate vehicle on highway without a valid license – first offense;
    - Operate motorcycle when driver’s license not validated for such operation – first offense;
    - Permit unvalidated licensee to operate motorcycle – first offense;
    - Operate vehicle with an instruction permit or license issued to another – first offense;
  - Section 302.321 RSMo
    - Driving while revoked/suspended – first offense;
  - Section 302.025 RSMo
    - As owner (or operator authorize another to) operate motor vehicle without maintaining financial responsibility;
    - Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility;
  - Section 311.325 RSMo
    - Purchase/attempt to purchase or possession of liquor by minor – first offense;
    - Minor visibly intoxicated/blood alcohol content more than 0.2% - first offense;
  - The second violation of these offenses are then treated as misdemeanors with the possibility of jail time.

**PETITION  
FOR REVIEW**



**PETITION FOR REVIEW (PFR)**  
**REFUSAL TO SUBMIT TO CHEMICAL TEST**  
**SECTION 577.041 RSMo**

**Required Statutory Findings:**

At a hearing the court shall determine only:

- (1) Whether or not the person was arrested or stopped;
- (2) Whether or not the officer had (as applicable for an adult OR a minor under 21 yrs. of age):
  - (a) reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or
  - (b) reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or
  - (c) reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and
- (3) Whether or not the person refused to submit to the test.

The Director of Revenue is named as a necessary party as Respondent and served. Pending the hearing on the petition for review, a stay is permitted if the court, in its discretion, grants the stay. The court must send a copy of the stay to the Director. For a minor offender, an arrest for an intoxication-related offense is not required. The burden is on the Department and it proceeds first at hearing.

**Eligible for Limited Driving Privileges?**

Yes, on a first Refusal revocation, after serving 90 days of the revocation, if otherwise eligible. *Section 302.309.3(6), RSMo.*

See page 81 for additional information regarding limited driving privileges.

### Reinstatement Requirements:

- ♦ \$45
- ♦ SATOP
- ♦ SR-22 (proof of financial responsibility or insurance)
- ♦ **Ignition Interlock Device (IID)** Currently required only if offender has a prior Chemical Refusal. Effective March 3, 2014, IID required if offender has any prior “alcohol-related enforcement contacts” as defined in *Section 302.525.3, RSMo*. The IID must be maintained for a period of six months *from the date of license reinstatement*. License reinstatement triggers the commencement of the six-month period, not the “eligible for” reinstatement date.

### SATOP Assessment Review:

Once the offender’s license is suspended for a refusal, he/she must complete SATOP for license reinstatement. Once the SATOP assessment is complete, the offender may file a motion in the associate division of the circuit court of the county in which the assignment was given, on a printed form provided by the Office of State Courts Administrator (OSCA), to have the court hear and determine the motion pursuant to the provisions of chapter 517, RSMo. The motion must name the person or entity who made the SATOP assessment as Respondent and they must be served.

Upon hearing the motion, the court may, with the exception noted below, modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person’s driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future. The exception is that the court may modify, but not waive, the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in *Section 577.023 RSMo*, or a person with a BAC of .15% or more. *Section 577.041.7, RSMo*.

**PETITION FOR REVIEW (PFR)**  
**ADMINISTRATIVE ALCOHOL TRIAL DE NOVO**  
**SECTION 302.500 – 302.540 RSMo**

**Required Statutory Findings:**

At hearing, the court shall determine only:

- (1) Whether or not the officer had probable cause to arrest for driving while intoxicated, and
- (2) Whether or not the subject was driving with a BAC of .08% or above.

For drivers under age 21 (minors subject to “zero tolerance”), with a BAC of .020% - .079%, the court shall determine only:

- (1) Whether or not the officer had probable cause to believe the subject violated a state, county or municipal traffic offense, and
- (2) Whether or not the subject was driving with a BAC of .02% or above.

The Director of Revenue is named as a necessary party as Respondent and served. Appeal must be filed in the county of arrest within 15 days of the date of mailing of the Department’s final hearing decision. Pending hearing on the petition for review, NO stay order is permitted. *Section 302.535.2, RSMo*. If otherwise eligible, a driver may be issued a Restricted Driving Privilege (RDP), valid during the pendency of the appeal. For a minor offender, an arrest for an intoxication-related offense is not required. The burden is on the Department at hearing. Appeal is de novo from the Department of Revenue administrative hearing, and is not a review of the record at hearing. The determination is independent of the adjudication of any criminal charges arising out of the same offense. Rules of civil procedure govern the trial de novo and the exclusionary rule is not applicable.

**Foundation for Admission of the Breath Test Result (19 CSR 25-30.010 – .060):**

To establish a prima facie foundation, the state must establish that the test was performed:

- 1) Following the approved procedures established by the Missouri Department of Health and Senior Services (DOHSS);
- 2) By an operator holding a valid permit issued by the DOHSS (Type II or III);
- 3) On a device approved by the DOHSS.

### Eligible for Limited Driving Privileges?

Yes, if otherwise eligible, after serving the first 30 days of a suspension or the first 45 days of a one-year revocation, and subject to required filings. *Section 302.309.3(f), RSMo, as amended July 5, 2013.* See page 81 for additional information.

### Eligible for Restricted Driving Privileges?

Yes, if otherwise eligible, after serving the first 30 days of a suspension, **OR** (effective October 1, 2013) after serving the first 15 days of a suspension, **OR** (effective March 4, 2014) after serving “0” days of the suspension. For requests for an “early” RDP on or after October 1, 2013, the driver (at his or her option) must affirmatively make a written request to the Department of Revenue, file proof of installation of an approved ignition interlock device (IID), and meet all other requirements. See page 78 for additional information.

NOTE: On and after October 1, 2013, the “early” RDP is at the option of the offender, and conditioned upon IID installation and monitoring requirements. First offenders remain eligible for issuance of a RDP without IID installation after 30 days if they do not select this option, and are otherwise eligible and meet requirements for issuance.

See page 81 for additional information regarding limited and restricted driving privileges.

### Reinstatement Requirements:

- ♦ **\$45**
- ♦ **SATOP**
- ♦ **SR-22** (proof of financial responsibility or insurance) Not required for first-time .02 or above suspension for a minor.
- ♦ **Ignition Interlock Device (IID)** If offender has a prior “alcohol-related enforcement contact” as defined in *Section 302.525.2, RSMo*. The IID must be maintained for a period of six months *from the date of license reinstatement*. License reinstatement triggers the commencement of the six-month period, not the “eligible for” reinstatement date.

### **SATOP Assessment Review:**

The SATOP program in the state of Missouri is administered by the Department of Mental Health, Division of Behavioral Health. More information on SATOP providers, programs and requirements may be found at [www.dmh.mo.gov](http://www.dmh.mo.gov).

Once the offender's license is suspended or revoked, the subject must complete SATOP for license reinstatement. Following completion of the initial SATOP assessment, the offender *may* file a motion in the associate division of the circuit court of the county in which the assignment was given, on a printed form provided by the Office of State Courts Administrator (OSCA), to have the court hear and determine the motion pursuant to the provisions of chapter 517, RSMo. The motion must name the person or entity who made the SATOP assessment as Respondent and they must be served. The Department of Revenue is not a party to this action.

Upon hearing the motion, the court may, with the exception noted below, modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future. The exception is that the court may modify, but not waive, the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in *Section 577.023 RSMo*, or a person with a BAC of .15% or more. *Section 302.540, RSMo*.

# **COMMERCIAL DRIVER LICENSE**

# COMMERCIAL DRIVER LICENSE

## SECTIONS 302.700 – 302.780 RSMo

**Commercial driver license (CDL):** *A driver license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle (Class A, B or C).*

**One License Only.** A person issued a Missouri CDL will be issued one license, which will indicate what class of commercial motor vehicle the person may operate (class A, B or C). The “one license” concept is based the premise that every driver has only one “state of record” for license issuance and for purposes of documenting their driving history. A CDL applicant must meet additional requirements over those required for a “base” driving privilege for class A, B or C commercial privileges. *Section 302.720 RSMo.*

A driver may have a “base driving privilege” (i.e., for operation of Class F or E vehicles) without a CDL, **but** a driver **can not** have a CDL without also having a base driving privilege. A CDL holder might lose his/her CDL privileges and retain the base driving privilege, but if suspended, revoked or denied for their base privilege, the CDL privileges are lost with it. *Section 302.705.1 RSMo.*

**Disqualification:** Defined as a suspension, revocation, cancellation or withdraw of a commercial driver license. The period of disqualification varies according to the type of offense and number of priors (see chart). *Section 302.700.2(10) RSMo.*

**“Conviction” for CDL disqualification is defined by Section 302.700.2(11) RSMo to include:**

- A plea of guilty
- A plea of nolo contendere
- A determination that a person has violated or failed to comply with the law in a court of original jurisdiction
- A determination that a person has violated or failed to comply with the law in an administrative proceeding
- An unvacated forfeiture of bail or collateral deposited to secure a person’s appearance in court
- The payment of a fine or court costs
- The violation of a condition of release without bail regardless of whether the penalty is rebated, suspended or prorated
- An offense for failure to appear or pay.

**NOTE:** *This varies from the definition of conviction for point assessment under Section 302.302 RSMo, and includes SIS dispositions, administrative outcomes (Administrative Alcohol and Chemical Refusal), bond forfeitures and failure to appear.*

**Courts are required to forward records of conviction within seven days of the date of conviction.** *Section 302.225 RSMo.*

## **CDL Disqualifications & Serious Traffic Violations**

“**Serious traffic violation**” is defined in *Section 302.700.2(30) RSMo* for CDL holders to include reckless driving, speeding 15 mph or more above the speed limit, improper or erratic lane changes, following too closely, and any moving violation relating to a fatal crash. Serious traffic violations also include driving a CMV without obtaining a CDL, driving a CMV without CDL in possession, driving a CMV without proper class of CDL or endorsement/restrictions, driving a CMV while texting and driving a CMV while using a hand-held mobile device (i.e. cell phone). **Note:** For a CDL holder, offenses committed in a CMV **or a non-CMV** (i.e., private vehicle), are used for CDL disqualification purposes, **if** the conviction for the offense committed in a private vehicle results in a suspension or revocation of the driver’s base driving privilege. *Section 302.700.2(30) RSMo*.

A **disqualification or out-of-service order** is a loss of only a driver’s commercial driving privileges (class A, B or C) for a specified period of time. During a disqualification or period of out-of-service (if the driver is not otherwise suspended or revoked), he or she can continue to drive private (noncommercial) motor vehicles without obtaining limited driving privileges. When a CDL is cancelled, the driver must wait until the disqualification period expires and then take the written and driving tests (this applies only when the disqualification period is one year or longer), and meet all other requirements of *Sections 302.700 to 302.780 RSMo* in order to get another CDL.

### **60 Day Disqualification**

- Two *serious traffic* violation convictions within three years if person is a CDL holder or if person is operating a CMV. **Note: The three-year period will be based on violation date rather than conviction date.**

### **120 Day Disqualification**

- Three or more *serious traffic* violation convictions within three years if person is a CDL holder or if person is operating a CMV. **Note: The three-year period will be based on violation date rather than conviction date.**
- Second railroad-highway grade crossing violation while person is operating a CMV.

### **180 Day Disqualification**

- First traffic conviction for violating an out-of-service order while person is operating a CMV.
- First traffic conviction for violating an out-of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.



### **1 Year Disqualification**

- Driving any motor vehicle (commercial or noncommercial) while under the influence of alcohol or a controlled substance.
- Driving any motor vehicle (commercial or noncommercial), resulting in any “alcohol-related enforcement contact” as defined in Section 302.525.3 RSMo (including administrative license actions).
- Driving a CMV with a BAC of 0.04% or higher.
- Refusing blood and/or breath test if the person is a CDL holder or if person is operating a CMV.
- Leaving the scene of an accident.
- Using any motor vehicle (commercial or noncommercial) to commit a felony.
- Driving a CMV with a revoked, suspended, canceled, or disqualified privilege.
- Causing a fatality through the negligent or criminal operation of a CMV (includes the crimes of motor vehicle manslaughter, homicide by motor vehicle, and negligent homicide).
- Making a false statement on any application for a CDL.
- Third or subsequent railroad-highway grade crossing violation within three years while operating a CMV.

### **2 Year Disqualification**

- Second traffic conviction within ten years for driving a CMV while out-of- service.

### **3 Year Disqualification**

- First conviction for any one of the top eight violations for one- year disqualification if transporting hazardous materials.
- Third or subsequent conviction within ten years for violating out-of- service orders while operating a CMV.
- Second or subsequent conviction within ten years for violating an out- of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.

### **Lifetime Disqualification**

(A 10-year minimum disqualification period in Missouri under 12 CSR 10-24.444)

- Second conviction for any one of the top eight violations listed under one-year disqualification.

### **Permanent Disqualification**

- First conviction for using a motor vehicle in the manufacture or illegal distribution of drugs.
- Convicted of any one of the top eight violations listed under one-year disqualification after restoration of a lifetime disqualification under 12 CSOR 10-24.444.

### **Imminent Hazard Disqualification (not to exceed one year)**

- Determination by the Federal Motor Carrier Safety Administration that a person's driving constitutes an imminent hazard.

**NO Driver Improvement Programs (DIP) for CDL holders**

Driver improvement programs (DIP) will not be allowed by any person for any offenses committed in a CMV or by any CDL holder whether the offenses are committed in a noncommercial or commercial motor vehicle. *Section 302.302.5 RSMo.*

**NO Limited Driving Privileges for CMV operation**

Limited Driving Privileges (LDP) will not be issued to operate a CMV during any period of suspension, revocation, cancellation, or disqualification. *Section 302.309.3(7) RSMo.*

**CDL with School Bus Endorsement**

Persons who apply for a commercial or noncommercial driver license and want to operate a school bus owned or under contract with a public or private school will be required to complete the required written and skills testing and obtain a school bus (S) endorsement on his or her driver license. Prior to obtaining the S endorsement, the driver must obtain approval by meeting current medical, fingerprint based criminal records check, and child abuse and neglect registry checks. Pending the results of the criminal background checks, the driver may be eligible for a temporary license with the S endorsement. CDL holders are required to have a passenger (P) endorsement on the face of their CDL to be eligible for the S endorsement. *Sections 302.177 and 302.272 RSMo.*

Drivers with a valid CDL from another state who want to operate a school bus owned or under contract with a public or private school must also have the P and S endorsements issued pursuant to federal regulations. *Section 302.273 RSMo.*

**Masking of Traffic Violations for CDL Drivers Not Allowed**

Courts are not permitted to defer imposition of sentence, suspend imposition of sentence, or allow a CDL holder or person required to have a CDL to enter into a diversion program that would prevent a conviction regarding traffic control laws, in any type of vehicle, from appearing on the person's driving record. *Section 302.345 RSMo; 49 CFR 384.226.*

**What is considered “masking” under the Motor Carrier Safety Improvement Act (MCSIA)?**

The Missouri Department of Revenue requested clarification from the Federal Motor Carrier Safety Administration (FMCSA) regarding the masking provisions outlined in the Motor Carrier Safety Improvement Act.

**FMCSA:** Generally, for masking or diversion to occur, there first must be a judgment of guilt. For example, masking may occur when the court holds the paperwork on a conviction for some reason and does not allow the State to take appropriate action. Diversion may occur when the court allows a driver – after an adjudication of guilt – to perform alternate services to get the conviction erased.

**Situation #1:** CDL holder issued traffic citation for DWI in his private vehicle. Prosecutor reviews the records and determines that there is a problem with the evidence and decides not to prosecute the case, so no charges are filed with court. No conviction is entered.

**FMCSA Response:** No violation of 49 CFR §§ 383/384. The federal CDL regulations require a conviction as defined by §383.5. In this case, the evidence did not support the burden of proof to be properly adjudicated by the prosecutor and there were no excepted actions taken to otherwise circumvent the regulations (i.e., no masking or diversion of the offense or penalty).

**Situation #2:** CMV operator issued traffic citation for "Improper lane change in a CMV." Prior to the citation being filed with the court the prosecutor determines to only file the charge as a "defective muffler." Final conviction is for "defective muffler" and that is the only charge ever signed by the prosecutor or filed with the court.

**FMCSA Response:** This practice is not in violation of 49 CFR § 384.226 because the violation was reduced before a judgment of guilt was pronounced. Before we can apply the conditions in 49 CFR § 384.226 to determine whether masking has taken place, there has to be a judgment of guilt (conviction) for a violation. The masking provision in 49 CFR § 384.226 do not prevent plea bargaining from taking place.

**Situation #3:** CMV operator is issued a traffic citation for "Operating a CMV while Suspended/Revoked/ Withdrawn." Prosecutor files charges for "Operating CMV while license suspended/revoked/ withdrawn." Final conviction is for "Operating CMV while license suspended/revoked/withdrawn." Later, court allows attorney for CMV operator to withdraw original plea and conviction and after new court hearing, court ultimately enters a conviction for "Improper CDL Class/Endorsement."

**FMCSA Response:** This is not in violation of 49 CFR § 384.226 because the court vacated (withdrew) the original conviction or adjudication of guilt. By granting the attorney's request to vacate (withdraw) the original plea and conviction, the court has nullified the conviction. The definition of "conviction" in 49 CFR § 383.5 defines a conviction to mean "an unvacated adjudication of guilt."

b) Disqualification for major offenses. Table 1 to §383.51 contains a list of the offenses and periods for which a driver must be disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

**Table 1 to §383.51**

If a driver operates a motor vehicle and is convicted of:	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a first conviction or refusal to be tested while operating a non-CMV, a CDL holder must be disqualified from operating a CMV for...	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials required to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F), a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CDL holder must be disqualified from operating a CMV for...
(1) Being under the influence of alcohol as prescribed by State law.	1 year	1 year	3 years	Life	Life
(2) Being under the influence of a controlled substance.	1 year	1 year	3 years	Life	Life
(3) Having an alcohol concentration of 0.04 or greater while operating a CMV	1 year	Not applicable	3 years	Life	Not applicable
(4) Refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in §383.72 of this part.	1 year	1 year	3 years	Life	Life
(5) Leaving the scene of an accident.	1 year	1 year	3 years	Life	Life
(6) Using the vehicle to commit a felony other than a felony described in paragraph (b)(9) of this table.	1 year	1 year	3 years	Life	Life
(7) Driving a CMV when, as a result of prior violations committed operating a CMV, the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV.	1 year	Not applicable	3 years	Life	Not applicable

(8) Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide.	1 year	Not applicable	3 years	Life	Not applicable
(9) Using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.

(c) **Disqualification for serious traffic violations.** Table 2 to [§383.51](#) contains a list of the offenses and the periods for which a driver must be disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

Table 2 to §383.51

If a driver operates a motor vehicle and is convicted of:	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CDL holder's license or non-CMV driving privileges, for...	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CDL holder's license or non-CMV driving privileges, for...
(1) Speeding excessively, involving any speed of 24.1 kmph (15 mph) or more above the posted speed limit.	60 days	60 days	120 days	120 days
(2) Driving recklessly, as defined by State or local law or regulation, including but not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.	60 days	60 days	120 days	120 days
(3) Making improper or erratic traffic lane changes.	60 days	60 days	120 days	120 days
(4) Following the vehicle ahead too closely.	60 days	60 days	120 days	120 days
(5) Violating State or local law relating to motor vehicle traffic	60 days	60 days	120 days	120 days

control (other than a parking violation) arising in connection with a fatal accident.				
(6) Driving a CMV without obtaining a CDL.	60 days	Not applicable	120 days	Not applicable
(7) Driving a CMV without a CDL in the driver's possession. <sup>1</sup>	60 days	Not applicable	120 days	Not applicable
(8) Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.	60 days	Not applicable	120 days	Not applicable

<sup>1</sup> Any individual who provides proof to the enforcement authority that issued the citation, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, shall not be guilty of this offense.

(d) **Disqualification for railroad-highway grade crossing offenses.** Table 3 to §383.51 contains a list of the offenses and the periods for which a driver must be disqualified, when the driver is operating a CMV at the time of the violation, as follows:

Table 3 to §383.51

If a driver is convicted of operating a CMV in violation of a Federal, State or local law because...	For a first conviction a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...
(1) The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train.	No less than 60 days	No less than 120 days	No less than 1 year.
(2) The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear.	No less than 60 days	No less than 120 days	No less than 1 year.
(3) The driver is always required to stop, but fails to stop before driving onto the crossing.	No less than 60 days	No less than 120 days	No less than 1 year.
(4) The driver fails to have sufficient space to drive completely through the crossing without stopping.	No less than 60 days	No less than 120 days	No less than 1 year.
(5) The driver fails to obey a traffic control device or the directions of an	No less than 60 days	No less than 120 days	No less than 1 year.

enforcement official at the crossing.			
(6) The driver fails to negotiate a crossing because of insufficient undercarriage clearance.	No less than 60 days	No less than 120 days	No less than 1 year.

(e) **Disqualification for violating out-of-service orders.** Table 4 to [§383.51](#) contains a list of the offenses and periods for which a driver must be disqualified when the driver is operating a CMV at the time of the violation, as follows:

Table 4 to § 383.51

If a driver operates a CMV and is convicted of...	For a first conviction while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a second conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...	For a third or subsequent conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for...
(1) Violating a driver or vehicle out-of-service order while transporting nonhazardous materials.	No less than 180 days or more than 1 year.	No less than 2 years or more than 5 years.	No less than 3 years or more than 5 years.
(2) Violating a driver or vehicle out-of-service order while transporting hazardous materials required to be placarded under part 172, subpart F of this title, or while operating a vehicle designed to transport 16 or more passengers, including the driver.	No less than 180 days or more than 2 years.	No less than 3 years or more than 5 years.	No less than 3 years or more than 5 years.

[52 FR 20587, June 1, 1987, as amended at 53 FR 39050, Oct. 4, 1988; 54 FR 40788, Oct. 3, 1989; 55 FR 6727, Feb. 26, 1990; 57 FR 53295, Nov. 9, 1992; 59 FR 26028, May 18, 1994; 62 FR 37151, July 11, 1997; 64 FR 48111, Sept 2, 1999; [67 FR 49756, Jul. 31, 2002; 68 FR 4397, Jan. 29, 2003; 72 FR 26788, July 5, 2007; 75 FR 59134, Sept. 27, 2010; 76 FR 26879, May 9, 2011; 76 FR 75486, Dec. 2, 2011; 77 FR 59825, Oct. 1, 2012]

**ABUSE & LOSE**



# ABUSE & LOSE

## COURT-ORDERED LOSS OF LICENSE FOR ALCOHOL OR DRUG-RELATED OFFENSES

SECTIONS 577.500, 577.505 AND 577.510 RSMo

(REQUIRED TO BE ENTERED ON CONVICTION, PLEA OR FINDING OF GUILTY FOR THE FOLLOWING OFFENSES)

### MINORS (under age 21 on date of offense):

#### **Violation of Section 577.500.1 RSMo**

**1<sup>st</sup> Offense:** 90-day suspension

**2<sup>nd</sup> or subsequent Offense:** 1-year revocation

#### **Offenses involving a minor and motor vehicle operation, including:**

(1) Alcohol-related traffic offenses—DWI, BAC (state law *and* municipal if represented by an attorney or written waiver).

(2) Possession or use of alcohol while operating a motor vehicle (state law *and* municipal if represented by attorney or waiver).

#### **Offenses involving a minor with *no* vehicle operation, including:**

(1) Possession or use of a controlled substance (Chapter 195 RSMo), (state law *and* muni if represented by attorney or waiver).

(2) Alteration, modification or misrepresentation of a driver license (*Section 311.328 RSMo*).

(3) Possession or use of alcohol for a second time where a determination of guilt was made on the 1st offense; both offenses occurred while person under 18 years of age.

#### **Violation of Section 577.500.2 RSMo**

(*Section 311.325 RSMo* **state law** “**Minor in Possession**” offenses only; offender age 16 to 20 years of age at time of offense)

**1st Offense:** 30-day suspension

**2<sup>nd</sup> Offense:** 90-day suspension

**3<sup>rd</sup> /subsequent:** One-year revocation

#### **Applies to a minor more than 15 years of age and under 21 years of age who:**

- Purchases or attempts to purchase any “intoxicating liquor” as defined in *Section 311.020 RSMo*;
- Has in his or her possession any intoxicating liquor;
- Who is in a “visibly intoxicated” condition as defined by *Section 577.001 RSMo*; or

- Has a BAC of more than .02% (“possession by consumption”).

**NOTE: There is currently no statutory authority to use county or municipal MIP ordinance violations for Abuse & Lose.**

### **Offenders less than 16 years of age:**

If an offender is 15 years of age or younger, the court is required to hold the order of suspension or revocation and forward to the Department of Revenue 30 days prior to the offender’s 16<sup>th</sup> birthday. The suspension or revocation will be assessed to commence on the offender’s 16<sup>th</sup> birthday. *Section 577.500.5(2), RSMo.*

**Expungement:** Expungement is only available under Section 311.326 RSMo for a Section 311.325 RSMo **state law** Minor in Possession offense (and resulting Section 577.500 RSMo Abuse and Lose action which was triggered by such conviction), *not* for a *Section 577.500 RSMo* Abuse and Lose action generally. Expungement is only available on or after an offender’s 22<sup>nd</sup> birthday (i.e., “period of not less than one year after reaching the age of twenty-one”), if otherwise qualified.

## **ADULTS (age 21 and over):**

**Section 577.505, RSMo** The court is required to order a revocation of the driver’s license for offenders twenty-one years of age or older at the time of offense, who is convicted, pleads or is found guilty of any offense involving the possession or use of a controlled substance, as defined in chapter 195, RSMo while operating a motor vehicle. The period of revocation for a first offense is one year.

## **Reinstatement Requirements (for both Minors and Adults):**

- ♦Pay \$45.00
- ♦File proof of SATOP completion

## **Eligible for Limited Driving Privilege? (for both Minors and Adults)**

Yes, if otherwise eligible and underlying offense is not a felony.

<p>1 <b>Adult Abuse &amp; Lose</b> 577.505</p>	<p>2 <b>Alcohol Possession</b> 577.500.1</p>	<p>3 <b>DWI-BAC</b> 577.500.1</p>	<p>4 <b>Minor in Possession</b> 577.500.2 <b>311.325 offenses</b></p>	<p>5 <b>Controlled Substance (Under 21)</b> 577.500.1</p>	<p>6 <b>Altered License</b> 577.500.1 <b>311.238 offense</b></p>	<p>7 <b>Special Under 18 Provision (Prior Offender)</b></p>
<p>21 or Older + Operated a M.V. + Possessed or Used Controlled Substance While Operating</p> <p><b>Court Action Required</b></p> <p>1) Surrender of License or Permit to the Court</p> <p>2) Entry of Revocation Order</p> <p>3) Forward Copy of Order &amp; License or Permit to DOR</p>	<p>Under 21 Years of Age on Date of Offense + Operated M.V. + Possessed or Used Alcohol While Operating M.V. + Municipal offense is represented by an Attorney or Written Waiver</p> <p><b>Court Action Required (16 to 20 yrs. of age)*</b></p> <p>1) Surrender of License or Permit to the Court</p> <p>2) Entry of Appropriate Suspension or Revocation Order</p> <p>3) Forward Copy of Order &amp; License or Permit to DOR</p>	<p>Under 21 Years of Age on Date of Offense + Committed an Alcohol Related (Driving) Offense + Represented by Attorney or Written Waiver of Attorney</p> <p><b>Court Action Required (16 to 20 yrs. of age)*</b></p> <p>1) Surrender of License or Permit to the Court</p> <p>2) Entry of Appropriate Suspension or Revocation Order</p> <p>3) Forward Copy of Order &amp; License or Permit to DOR</p>	<p>Age 16 to 20 yrs. on Date of Offense + Purchase or Attempt to Purchase Alcohol or Possess Alcohol or Visibly Intoxicated under 577.001 or Detectable BAC of .02% or Higher</p> <p><b>Court Action Required (16 to 20 yrs. of age)*</b></p> <p>1) Entry of Appropriate Suspension or Revocation Order</p> <p>2) Forward Copy of Order to DOR &amp; License or Permit (if taken by the Court)</p>	<p>Under 21 Years of Age on Date of Offense + Operated a M. V. + Possessed or Used Controlled Substance While Operating M.V. + Represented by Attorney or Written Waiver of Attorney</p> <p><b>Court Action Required (16 or Over)*</b></p> <p>1) Entry of Appropriate Suspension or Revocation Order</p> <p>2) Forward Copy of Order to DOR &amp; License or Permit (if taken by the Court)</p>	<p>Under 21 + Altered, Modified or Misrepresented License or Permit</p> <p><b>Court Action Required (16 to 20 yrs. of age)*</b></p> <p>1) Entry of Appropriate Suspension or Revocation Order</p> <p>2) Forward Copy of Order to DOR &amp; License or Permit (if taken by the Court)</p>	<p>Under 18 + Possessed or Used Alcohol (no vehicle operation required) + Represented by Attorney or Written Waiver + Offense is Defendant's 2<sup>nd</sup> Alcohol Possession or Use Offense</p> <p><b>Court Action Required*</b></p> <p>1) Entry of Appropriate Suspension or Revocation Order</p> <p>2) Forward Copy of Order to DOR &amp; License or Permit (if taken by the Court)</p>

\*If offender is under age 16, the Court shall: (1) Enter immediate Order of suspension or revocation of driving privilege; and (2) Forward a copy of Order and permit (if taken by the Court) to DOR 30 days before offender's 16<sup>th</sup> birthday.

**DRIVING WHILE  
INTOXICATED**

**CLASSIFICATIONS OF DWI OFFENSES**  
SECTION **577.010**, 577.012 AND 577.023 RSMo

**DWI -1st Offense (Section 577.010, RSMo)**

- SIS only if given 2 years probation
- CDL – No SIS
- B Misdemeanor

If .15% or higher BAC and DWI court or other court ordered treatment program is available, no SIS unless the offender completes DWI court or treatment program. *Subject to major revision in 2014 legislative session.*

If offender does not successfully complete DWI or court ordered treatment program then no SIS for 1<sup>st</sup> offense and minimum imprisonment is:

- .15 - .20 % BAC -- 48 hours
- Greater than .20 % BAC—5 days

**Excessive BAC - 1st Offense (Section 577.012, RSMo)**

- CDL – No SIS
- B Misdemeanor

If .15% or higher BAC and DWI court or other court ordered treatment program is available, no SIS unless the offender completes DWI court or treatment program. *Subject to major revision in 2014 legislative session.*

If offender does not successfully complete DWI or court ordered treatment program then no SIS for 1<sup>st</sup> offense and minimum imprisonment is:

- .15 - .20 % BAC -- 48 hours
- Greater than .20 % BAC—5 days

**Prior Offender DWI (Section 577.023, RSMo)**

- No SIS
- No Fine in lieu of imprisonment
- A Misdemeanor (1 prior within 5 years)

Minimum sentence 10 days unless ordered to perform 30 days (240 hours) of community service **OR** completes DWI court or other court-ordered treatment program (if available) **WHICH INCLUDES** completion of such community service. *Subject to major revision in 2014 legislative session.*

**Persistent Offender DWI (Section 577.023, RSMo)**

- No SIS
- No Fine in lieu of imprisonment
- D Felony (2 priors)
- 2 priors OR prior plea or finding of guilt of intoxication related involuntary manslaughter, assault 2<sup>nd</sup> degree or assault on law enforcement officer 2<sup>nd</sup> degree.

Minimum sentence 30 days unless ordered to perform 60 days (480 hours) of community service **OR** completes DWI court or other court-ordered treatment program (if available) **WHICH INCLUDES** completion of such community service. *Subject to major revision in 2014 legislative session.*

**Aggravated Offender DWI (Section 577.023, RSMo)**

- No SIS
- No Fine in lieu of imprisonment
- No Probation or Parole until serving a minimum sentence of 60 days
- C Felony (3 priors)
- 3 priors OR combination of at least 1 prior intoxication related traffic offense plus prior plea or finding of guilt of intoxication related involuntary manslaughter, murder 2<sup>nd</sup> degree, assault 2<sup>nd</sup> degree or assault on law enforcement officer 2<sup>nd</sup> degree.

*Subject to major revision in 2014 legislative session.*

**Chronic Offender DWI (Section 577.023, RSMo)**

- No SIS
- No Fine in lieu of imprisonment
- No Probation or Parole until serving a minimum sentence of 2 years
- B Felony (4 priors)
- 4 priors OR combination of at least 2 guilty findings or pleas as to intoxication related involuntary manslaughter 2<sup>nd</sup> degree, murder 2<sup>nd</sup> degree, assault of law enforcement officer 2<sup>nd</sup> degree OR 2 priors plus any guilty finding or plea as to any one of the above offenses.

*Subject to major revision in 2014 legislative session.*

**Procedure for Priors - DWI (Section 577.023, RSMo)**

- Priors must be pled and proved
- Charge code alone not sufficient
- Evidence presented or Defendant waives proof of facts
- Court makes findings of fact beyond a reasonable doubt
- Jury Trial – facts plead and proven outside hearing of jury prior to submission

Proof of prior convictions may be shown by:

- Missouri Uniform Law Enforcement System (MULES)
- MSHP Central Repository records
- MSHP Driving While Intoxicated Tracking System (DWITS)
- DOR certified driving record

**Definition of Prior Intoxicated-related alcohol offense (Section 573.023.1(4) RSMo):**

- DWI
- BAC
- Murder 2d degree while DWI - Section 565.021 RSMo
- Involuntary Manslaughter while DWI - Section 564.024.1(2) or (3) RSMo
- Assault 2<sup>nd</sup> degree while DWI - Section 565.060.1(4) RSMo
- Assault 2d degree of law enforcement officer while DWI - Section 565.082.1(4) RSMo
- DWI (drugs or alcohol) state, county, municipal
- Prior plea or finding of guilt was prior to commission of instant case

Courts are required to consider, as a condition of probation for any person who pleads or is found guilty of an intoxication-related offense, requiring the offender to submit to continuous alcohol monitoring or periodic verifiable breath alcohol testing. Section 577.023.6(4) RSMo.

Court shall order SATOP upon plea or finding of guilt (Section 577.049, RSMo).

# **IGNITION INTERLOCK DEVICE**

## SUMMARY OF NEW IGNITION INTERLOCK DEVICE (IID) AND LIMITED DRIVING PRIVILEGE (LDP) PROVISIONS

\*\*\* SENATE BILLS 23 AND 480\*\*

STAGGERED EFFECTIVE DATES 2013 – 2014

Senate Bill 23 was passed in the 2013 Legislative Session. It amends Senate Bill 480, which was passed in the prior (2012) session. SB 480 has an October 1, 2013 effective date.

However, due to an apparent error in the repeal/reenactment language in SB 23, SB 480 contains provisions that will be effective only between the dates of October 1, 2013 and March 3, 2014. These cover restricted driving privileges (RDP) in *Sections 302.304 and 302.525, RSMo*, and certain license reinstatement requirements, *Sections 302.060, 302.304, and 302.525, RSMo*

Only section 302.309 limited driving privilege (LDP) provisions of SB 23 are effective July 5, 2013, the date Governor Nixon signed the bill; the remainder of the provisions will be effective March 4, 2014.

**NOTE:** On March 4, 2014, SB 23 will repeal and replace all provisions of SB 480 relating to restricted driving privileges (RDP) and license reinstatement.

The timeline is as follows:

**July 5, 2013**—§ 302.309 LDP provisions only amended

**October 1, 2013**—§ 302.060 (5- and 10-yr. license denial reinstatement) and §§ 302.304 and 302.525 (“first” intoxication Point suspension and AD suspension restricted driving privilege (RDP) and reinstatement provisions amended.

**March 4, 2014**—§§302.060, 302.304, 302.325, 577.041. *RSMo*

SB 23 substantially impacts the requirement for Ignition Interlock Device (IID) installation for intoxication-related offenders, and revises provisions for license reinstatement and issuance of limited and restricted driving privileges.

Highlights include:

- ◆ Adds new camera and GPS requirement for 5-year and 10-year denial offenders, for LDP or reinstatement;
- ◆ Adds new ignition interlock device (IID) monitoring requirement for certain offenders;
- ◆ Imposes sanctions for IID “violations” committed during required IID installation period;
- ◆ Reduces or eliminates traditional “hard walk” suspension periods for LDP and RDP issuance, if IID installed;
- ◆ Will permit LDP issuance on Administrative Alcohol revocation actions after 45-day suspension;
- ◆ Will permit LDP issuance on a second or subsequent Chemical Refusal revocation, after 90-day suspension.



# IGNITION INTERLOCK DEVICE (IID)

**\*\*EFFECTIVE MARCH 4, 2014, SENATE BILL 23\*\***

CHAPTER 302 RSMo; SECTION 577.041 RSMo

**NOTE:** THIS SUMMARY IS A CUMULATIVE COMPILATION OF ALL 2013 REVISIONS TO DATE. MODOT RULES DEFINING A “VIOLATION” AND PROVIDING FOR THE IID MONITORING FUNCTION ARE NOT EXPECTED TO BE FINAL AND OPERATIONAL UNTIL EARLY 2014.

## **Restricted Driving Privileges (RDP)**

*Sections 302.304, 302.525, RSMo*

### **1<sup>st</sup> Point Suspension** (resulting from alcohol or drug offense)

*Section 302.304, RSMo*

### **1<sup>st</sup> Administrative Alcohol Suspension** (1<sup>st</sup> in five years)

*Section 302.525, RSMo*

- ◆ Option for a driver to obtain a RDP from day “one” (90-day RDP) *if* IID installed
- ◆ If the offender chooses this option, he or she must have no reported IID “violations reset” during the 90-day period of IID installation. If a violation is noted, the required period of RDP with IID installation is extended an additional 30 days.
- ◆ “Violations reset” as defined by MoDot Rule for ignition interlock monitoring purposes (7 CSR 60-2.010(1)(A)37)

## **Limited Driving Privileges (LDP)**

*Section 302.309, RSMo*

- ◆ Five-year limitation on LDP issuance repealed;
- ◆ Offenders now eligible for a LDP on Administrative Alcohol revocations, after 45-day “hard walk” *if* Ignition Interlock Device (IID) installed;
- ◆ Offenders now eligible for a LDP on a 2<sup>nd</sup> or subsequent Chemical Refusal revocation, after serving an initial 90-day “hard walk” suspension period, *if* Ignition Interlock Device (IID) installed (and otherwise eligible);
- ◆ “Two-Refusal” ineligibility for other LDP applicants has been eliminated;
- ◆ Ignition Interlock Device (IID) installation now required for 1<sup>st</sup> Chemical Refusal LDPs
- ◆ Ignition Interlock Device (IID) installation is required for LDPs for five- and ten-year denials; point revocation triggered by second intoxication-related offense; administrative alcohol revocation; and chemical refusal revocation.
- ◆ Camera and GPS features for IID required for five- and ten-year denial LDPs

## **Five- and Ten-Year Denial Limited Privileges**

*Section 302.309.3(8)(a) and (b) RSMo*

- ◆ Camera and GPS features on Ignition Interlock Device (IID) required for five- and ten-year LDPs.
- ◆ Eliminates two-year “hard walk” prior to LDP eligibility on five-year denial (now eligible from day “one”), with IID installation (subject to initial 30-day “hard-walk” suspension resulting from DWI or BAC conviction which triggered);
- ◆ Eliminates three-year “hard walk” prior to LDP eligibility on ten-year denial (0 days), with IID installation (subject to initial 30-day “hard walk” suspension resulting from DWI or BAC conviction which triggered);
- ◆ Eliminates requirement for criminal history checks for five- and ten-year denial LDP applications;
- ◆ Applicants must be “otherwise eligible” for a LDP under *Section 302.309 RSMo* (i.e., no felony, etc.). If not eligible, must apply to a DWI Court for LDP issuance.

New provisions require a court to (“shall”) grant the LDP if:

1. Applicant is otherwise eligible
2. Has filed proof of ignition interlock installation
3. Has no “alcohol-related enforcement contacts” since last conviction that triggered denial

However, the applicant must still present evidence *satisfactory to the court* that the person’s habits and conduct show they no longer pose a threat to the public safety.

## **License Reinstatement**

*Sections 302.060, 302.304, 302.525, and 577.041, RSMo*

### **Ignition Interlock Device Required for:**

**Point revocation**, with prior “alcohol-related enforcement contact” (as defined in § 302.525.3 *RSMo*) § 302.304.7, *RSMo*

**AD revocation or AD suspension**, with prior “alcohol-related enforcement contact” § 302.525.2(2), *RSMo*

**Chemical Refusal revocation**, with prior “alcohol-related enforcement contact” § 577.041.10, *RSMo*

**Five-Year Denial** § 302.060.1(10), *RSMo* (court shall order reinstatement, if otherwise qualified);

**Ten-Year Denial** § 302.060.1(9), *RSMo* (court shall order, reinstatement, if otherwise qualified)

◆ For **five- and ten- year reinstatement**--courts are required *to make a finding* as to whether the applicant’s habits and conduct show they no longer pose a threat to the public safety, and review results of a criminal history check (§ 302.060.3, *RSMo*). Camera and GPS features required on IID.

◆ All above reinstatements require ignition interlock device (IID) installation for a six-month period following date of license reinstatement (*not* date eligible for reinstatement).

◆ If any IID “violations reset” during the six-month period, an additional six-months of IID installation required

◆ “Violations reset” as defined by MoDot Rule for ignition interlock monitoring purposes (7 *CSR* 60-2.010(1)(A)37)

## **Court-Ordered Ignition Interlock**

*Section 577.600 RSMo*

- May order on first “intoxication-related traffic offense” as defined in *Section 577.023.1(4) RSMo*, upon plea or finding of guilt (includes SIS disposition);
- Court shall order on second or subsequent offense;
- Cost – Court may order fine be reduced by cost of device. *Section 577.602 RSMo*.

### **Minimum Period for Court-Ordered Ignition Interlock:**

Must require for a minimum six-month period from date of license reinstatement (not date *eligible* for reinstatement), whether or not the offender is currently eligible. The act of reinstatement commences the running of the six-month period.

### **Court-Ordered Interlock for Limited Driving Privilege:**

Where granted to applicant with second or subsequent intoxication-related offense, *must* require IID for term of LDP.

### **Proof of IID Installation with Department of Revenue (Administrative):**

Proof of installation of an IID upon conviction for certain alcohol-related offenses as a condition of license reinstatement **or** for the issuance of restricted or limited driving privileges for repeat offenders is required administratively. These provisions are in addition to the court-ordered requirements found in *Section 577.600 RSMo*. Installation is required for a minimum six-month period from the date of reinstatement.

A licensee is *required* to file proof of installation of an ignition interlock device with the Department of Revenue for:

### **See Appendix section for the following form:**

CR105 – Order to Install Ignition Interlock Device

## **Ignition Interlock Device (IID) “Violations Reset”**

(As defined by MoDot Rule, 7 CSR 60-2.010(1)(A)37)

What the statutory provisions provide:

- Confirmed* BAC over setpoint of .025%
- Evidence of device tampering
- Evidence of device circumvention

As defined by MoDot Rule at 7 CSR 60-2.010(1)(A)37 as:

- A. Two 15-minute temporary lockouts within a 30-day period
  - B. Any 3 refusals to provide a retest sample within a 30-day period
  - C. Any 3 retest breath samples over .025% within a 30-day period
  - D. Any attempts to circumvent or tamper with a device
- ♦ “Service reminder” on the IID device is activated on a “violations reset” event. Temporary device lockout results and driver is advised by the device to bring vehicle in to provider to reset. Violation is logged on monthly IID monitoring report.

NOTE: Proposed Rules anticipated to be filed September 2013, and final early 2014.

# **LIMITED DRIVING PRIVILEGES**

# **LIMITED DRIVING PRIVILEGES (LDP)**

**\*\*PROVISIONS EFFECTIVE JULY 5, 2013\*\***

SENATE BILL 23

SECTION 302.309 RSMo

## **NEW LDP PROVISIONS--OVERVIEW**

*Section 302.309, RSMo*

- ◆ Removes 5-year limitation on LDP issuance (i.e., repeals “one LDP in a five-year period” provisions);
- ◆ Offenders now eligible for a LDP on Administrative Alcohol revocation, after 45-day “hard walk” *if* Ignition Interlock Device (IID) installed;
- ◆ Offenders now eligible for a LDP on a 2<sup>nd</sup> or subsequent Chemical Refusal revocation, after serving an initial 90-day “hard walk” suspension;
- ◆ Eliminates “two-Refusal” ineligibility for other LDP applicants;
- ◆ Ignition Interlock Device (IID) installation now required for 1<sup>st</sup> Chemical Refusal LDPs

## **Five- and Ten-Year Denial LDP**

*Section 302.309.3(8)(a) and (b) RSMo*

- ◆ Camera and GPS features required for Ignition Interlock Device (IID)
- ◆ Eliminates two-year and three-year “hard walk” prior to LDP eligibility on five- and ten-year denials (now 0 days);
- ◆ Eliminates requirement for criminal history checks for five- and ten-year denial LDP applications;
- ◆ Applicants must be “otherwise eligible” for a LDP (i.e., no felony, etc.). If not eligible, may apply to a DWI Court.

A court “*shall*” grant the LDP if:

1. Applicant is otherwise eligible
2. Has filed proof of ignition interlock installation
3. Has no “alcohol-related enforcement contacts” as defined in § 302.525.3, *RSMo* since last conviction that triggered denial
4. Court makes finding that the applicant’s habits and conduct show they no longer pose a threat to the public safety

## **Limited Driving Privilege Requirements**

### **Chemical Refusal (1<sup>st</sup> or subsequent):**

Must serve first 90-days of revocation *Section 302.309.3(6)(e) RSMo*; file SR-22 and have proof of installation of Ignition Interlock Device (IID)

### **Administrative Alcohol:**

**1<sup>st</sup> offense (AD suspension)** Must serve first 30 days of suspension, with SR-22 and otherwise eligible. *Section 302.309.3(6)(f) RSMo.*

**2<sup>nd</sup> within five years (AD revocation)** Must serve first 45 days of revocation, with IID installation, SR-22, and otherwise eligible.  
*Section 302.309.3(6)(g) RSMo.*

### **DWI/BAC Point Suspension or Revocation:**

Must serve first 30 days of suspension or revocation *Section 302.309.3(6)(a) RSMo.*

### **License Denial (5- and 10-year):**

- ◆ Five (5) year denial - if otherwise eligible, with court order, SR-22, and IID installation with camera and GPS. *Section 302.309.3(8)(b) RSMo.*
- ◆ Ten (10) year denial - if otherwise eligible, with court order, SR-22, and IID installation with camera and GPS. *Section 302.309.3(8)(a) RSMo.*

### **LDP filing requirements** (*Section 302.309.3(3) RSMo*):

1. Must be filed in county of residence, employment, or principal place of business;
2. Most applications may be filed in Circuit Court or with Director of Revenue;
3. Five- and Ten-year denial applicants must file in Circuit Court;
4. Department of Revenue is a necessary party and must be named/served;
5. Must include SR-22 filing and a copy of driving record;

### **Scope of Operation for a LDP**

Limited privileges may be granted for the following purposes: (*Section 302.309.3(2) RSMo*)

- a) business, occupation or employment,
- b) seeking medical treatment,
- c) attending educational institution ,
- d) attending alcohol or drug treatment,
- e) seeking the required services of an Ignition Interlock provider, or
- f) other circumstance found to create an undue hardship on operator

Ignition Interlock Device (IID) installation is mandatory if second or subsequent intoxication-related offense (*Section 577.600.1 RSMo*).

**LDP applicants are ineligible for the following reasons:**

1. Too young (under 18 in commerce)
2. Too young (under 16)
3. Habitual alcoholic or drug user
4. Incapacitated person (adjudicated)
5. Anyone who has failed driver exam
6. Unsatisfied judgment (*Chapter 303*)
7. Failure to disclose identification after an accident
8. Conviction of involuntary manslaughter while DWI (*Section 565.024 RSMo*)
9. Out of state convictions (compact violations) or out of state violations
10. Conviction of any felony involving motor vehicle
11. Conviction for operating under influence of drugs
12. Leaving scene of accident (*Section 577.060 RSMo* offense)

**Ignition Interlock Required for LDP for:**

- One-Year Point revocation LDP (where revocation is the result of a second or subsequent “intoxication-related” conviction)
- Chemical Refusal LDP
- Administrative Alcohol Revocation LDP
- Five-Year and Ten-Year denial LDP
- 

**DWI Courts:**

A DWI court established under and which conforms with the requirements of *Section 478.007 RSMo* may grant an LDP to a driver who would otherwise be ineligible under the provisions of *Section 302.309.3(6) RSMo*. The driver must be a graduate of the DWI court or a participant for a minimum of 45 days. Is merely another form of court-ordered LDP, and the Director of Revenue remains a necessary party to the action. See Supreme Court Rule 26 for additional information and requirements contained in the Appendix section. Consult Local Rules, also.

See Appendix for the following forms:

CV210 – Order Granting Limited Driving Privileges

CV215 – Order to Terminate Limited Driving Privileges

**DRIVER  
IMPROVEMENT  
PROGRAM**



# **DRIVER IMPROVEMENT PROGRAM**

## **SECTIONS 302.302 AND 476.385 RSMo**

- A court using the Fine Collection Center (FCC) may elect to have the FCC approve attendance at a Driver Improvement Program (DIP) or motorcycle-rider training course. A court does not have to authorize the FCC to approve DIP attendance. It is optional and up to the associate circuit judge or judges of each county.
- If a court chooses to authorize the FCC to approve a DIP on the court's behalf, the court must notify the FCC in writing by providing a court order directing the FCC to approve a DIP for all eligible violators who receive a moving violation traffic ticket from that county and those tickets are being processed by FCC.
- If a defendant is charged with a moving violation in a county that has authorized FCC to approve DIP, and they plead guilty and pay the fine and costs in full to FCC, the defendant will automatically be approved to attend an authorized DIP course to avoid having points assessed on their Missouri driver's license. Payment of the fine and costs through FCC is considered consent by the defendant to attendance at such programs.
- DIP is not available for a violation committed in a commercial motor vehicle or for any driver who has a commercial driver's license (CDL) from Missouri or any other state.
- Attendance at DIP is not mandatory. If a defendant chooses to attend DIP, they must complete an approved DIP course within 60 days of their guilty plea and must have the DIP program send proof of completion to the Missouri Department of Revenue (DOR), Driver License Bureau, P.O. Box 200, Jefferson City, MO 65105.
- No points will be assessed to the defendant's Missouri driver's records if they meet these requirements.
- If the violator does not complete the course within 60 days, the points will be assessed.
- For violations committed while operating a motorcycle, the defendant must attend an approved motorcycle-rider training course following the rules above to avoid point assessment.
- No defendant may attend the Driver Improvement Program to avoid point assessment more than one time in any 36 month period.
- Course completion certificates should be sent directly to the Missouri Department of Revenue, if a defendant receives one directly they should forward it to DOR.
- A DIP may be completed online, however, it must still be an approved program.

- Counties that allow FCC to approve attendance at Driver Improvement Program:  
Adair, Andrew, Atchison, Audrain, Barton, Bollinger, Boone, Buchanan, Butler, Callaway, Cape Girardeau, Cass, Clay, Clinton, Cole, Cooper, Crawford, Dade, Daviess, Franklin, Gasconade, Greene, Grundy, Harrison, Hickory, Holt, Howell, Lawrence, Lewis, Lincoln, Livingston, Macon, Madison, Marion, McDonald, Miller, Nodaway, Oregon, Osage, Pemiscot, Perry, Pike, Platte, Putnam, Reynolds, Ripley, Saline, Schuyler, Scott, Shannon, Shelby, St. Clair, Ste. Genevieve, Sullivan, Vernon, Wayne, Worth, and Wright.
- For more information proceed to [www.courts.mo.gov/page.jsp?id=1940](http://www.courts.mo.gov/page.jsp?id=1940)
- For more information about approved programs proceed to [www.ucmo.edu/safetycenter/dip/](http://www.ucmo.edu/safetycenter/dip/)

# APPENDIX



IN THE \_\_\_\_\_ JUDICIAL CIRCUIT COURT, \_\_\_\_\_, MISSOURI

Judge or Division:	Case Number:
	Court ORI Number:
Defendant's Name, Alias(es)/Address:	Offenses(s):
	Birth date:
	Driver License No./Issuing State/Exp. Date:
	Offense Cycle No.(OCN):

(Date File Stamp)

### Order to Install Ignition Interlock Device

Pursuant to section 577.602.2, RSMo, the court orders you to have an ignition interlock device installed on any vehicle you operate and prohibits you from operating any vehicle unless it is equipped with such a device. ☐ The ignition interlock device shall have photo identification technology and global positioning system features.

Proof of installation of the ignition interlock device(s) must be provided to

☐ the court ☐ the probation officer by \_\_\_\_\_ (date) and remain on the vehicles:

☐ during the period of probation: Start date: \_\_\_\_\_ Probation term: \_\_\_\_\_

☐ during the period of limited driving privilege: Effective date: \_\_\_\_\_ Term date: \_\_\_\_\_

☐ six (6) months after the date of the reinstatement of the driver license.

Failure to provide proof of installation within that period may result in your probation being revoked or your limited driving privilege being terminated. (Section 577.602, RSMo)

You are responsible for all costs associated with the installation, maintenance, calibration, and removal of the device. You are also liable for the cost of replacement if the device is broken, destroyed or stolen. (Section 577.602.5, RSMo)

This order does not authorize you to operate a motor vehicle if your driving privilege has been suspended or revoked, unless you have obtained a limited driving privilege or restricted driving privilege under other provisions of law. (Section 577.602.4, RSMo)

**Violation of the order prohibiting you from operating a vehicle that is not equipped with an ignition interlock device will result in the revocation of your driving privilege and you could be convicted of a class A misdemeanor, punishable for a term of imprisonment not to exceed one year.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

### Proof of Installation

I certify that ignition interlock device(s) were installed on vehicle(s), as ordered by the court for \_\_\_\_\_ (name), \_\_\_\_\_ (DOB) on \_\_\_\_\_ (date).

☐ The ignition interlock device(s) installed has photo identification technology and global positioning system features.

Manufacturer: \_\_\_\_\_

Device Name: \_\_\_\_\_

Device Serial Number: \_\_\_\_\_

Installation facility, address and telephone number: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print Name of Installer

\_\_\_\_\_  
Signature of Installer

### Instructions to the Clerk

1. Provide a copy of the Order to Install Ignition Interlock Device to the defendant to be returned to the court ordered supervising authority once the device is installed and Proof of Installation is completed by the installer.
2. Send a copy of the Order to the Department of Revenue at the time the order is entered to the following address:

Department of Revenue  
Driver License Bureau  
301 West High Street Room 470  
P.O. Box 200  
Jefferson City, Missouri 65105-0200



IN THE \_\_\_\_\_ JUDICIAL CIRCUIT COURT, \_\_\_\_\_, MISSOURI

Judge or Division:	Case Number:
Petitioner:	Court ORI Number:
Respondent: Director of Revenue	Petitioner's Driver License No./Issuing State/Exp. Date:
	Petitioner's Date of Birth:

(Date File Stamp)

### Order Granting Limited Driving Privileges

Now on the above date, the Respondent having been served, and the Petition and Answer having been examined and evidence adduced, the Court finds that Petitioner's driving privilege is ☐ suspended ☐ revoked ☐ denied and the Petitioner is eligible for limited driving privileges in accordance with section 302.309, RSMo.

☐ The Petitioner has completed at least 45 days or has graduated from a DWI court in accordance with section 302.309.3(9), RSMo.

**Now, therefore, it is ordered that** the Petitioner is granted limited driving privileges subject to the following conditions:

- ☐ **The Petitioner is required to have an ignition interlock device installed on any vehicle operated during the period of this order. Proof of installation must be provided to the court by \_\_\_\_\_ (date) and/or with the Department of Revenue as otherwise required by law. (See attached Order to Install Ignition Interlock Device.)**
- ☐ **The Petitioner's ignition interlock device shall have photo identification technology and global positioning system features because Petitioner's license has been denied for a period of 5 or 10 years.**

This order authorizes the Petitioner only to operate a vehicle based on the license class marked below:

- ☐ Class E (For hire driver not required to have Class A, B, or C)
- ☐ Class F (Operator's License)
- ☐ Class M (Motorcycle Only)

**Petitioner may not operate a commercial motor vehicle with this order.**

**This order is effective this date, unless checked below, and shall terminate on \_\_\_\_\_.**

- ☐ Effective after 90 days of revocation is served; said period beginning on the date of this order.
- ☐ Effective after 30 days of suspension or revocation is served; said period beginning on the date of this order.
- ☐ Effective after 45 days of revocation is served; said period beginning on the date of this order.
- ☐ Mandatory 30, 45, or 90 day period has been served, limited driving privileges effective immediately.

Petitioner's residence address is: \_\_\_\_\_.

Petitioner may operate his/her vehicle subject to the conditions checked "yes" below:

**Yes No**

- ☐ ☐ In connection with a business, occupation or employment or to attend school or institution of higher education.

**Yes No**

☐ ☐ (On \_\_\_\_\_ through \_\_\_\_\_ from \_\_\_\_\_ am to \_\_\_\_\_ am and from \_\_\_\_\_ pm to \_\_\_\_\_ pm)

From the above residence address to the place of employment/school etc. at (include name and address)

\_\_\_\_\_

over the following route \_\_\_\_\_

\_\_\_\_\_ and the reverse thereof.

☐ ☐ Petitioner shall maintain a log book of all travel required except as provided immediately above. Before beginning any trip (1) the purpose of the trip, (2) the date, time and starting point, and (3) the destination and specific route by street shall be entered in the log. As soon as the trip is completed, the date and time shall be entered. In the event the trip is terminated before completed, the reason and date and time shall be entered in the log. Not less often than every thirty (30) days the Petitioner's immediate supervisor shall review the log, and if all the travel was required by his/her business, occupation or employment, he/she shall sign the log approving it.

Yes No

☐☐

To seek personal medical treatment or to personally attend alcohol or drug treatment programs.

From the above residence address to the place of treatment at (include name and address)

over the following route \_\_\_\_\_

\_\_\_\_\_ and the reverse thereof.

Yes No

☐☐

Petitioner shall maintain a log book of all travel required except as provided immediately above. Before beginning any trip (1) the purpose of the trip, (2) the date, time and starting point, and (3) the destination and specific route by street shall be entered in the log. As soon as the trip is completed, the date and time shall be entered. In the event the trip is terminated before completed, the reason and date and time shall be entered in the log.

☐☐

To seek the required services of a certified ignition interlock device provider.

From the above residence address to the business address of a certified ignition interlock device provider at (include name and address)

over the following route:

\_\_\_\_\_ and the reverse thereof.

☐☐

Other \_\_\_\_\_

☐

Provided further that Petitioner may drive pursuant to the above-approved conditions only if the Petitioner is the only occupant in the vehicle.

**The Director of Revenue and agents are hereby ordered to permit the Petitioner to make application for and submit to complete driver examination, if required.**

Petitioner shall maintain proof of financial responsibility, and if necessary, proof of installation of ignition interlock device with the Director of Revenue during the duration of this order. Failure to maintain proof of insurance and/or installation of an ignition interlock device, as required, may result in the termination of this order without further process.

Clerk shall mail a certified copy of this Order to the Driver License Bureau, Department of Revenue.

**Petitioner must keep a copy of this order on his/her person at all times while operating a motor vehicle under this order. This privilege to drive is for the state of Missouri only. Out-of-state law enforcement will make their own determination as to whether to honor this privilege if you drive in their state. The Petitioner's copy must have a court seal.**

\_\_\_\_\_  
Attorney for Respondent

\_\_\_\_\_  
Bar Number

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Attorney for Petitioner

\_\_\_\_\_  
Bar Number

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**So Ordered:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge



IN THE \_\_\_\_\_ JUDICIAL CIRCUIT COURT, \_\_\_\_\_, MISSOURI

Judge or Division:	Case Number:
Petitioner:	Court ORI Number:
Respondent: Director of Revenue	Petitioner's Driver License No./Issuing State/Exp. Date:
	Petitioner's Date of Birth:

(Date File Stamp)

### Order to Terminate Limited Driving Privileges

On \_\_\_\_\_ (date) Petitioner was granted limited driving privileges pursuant to Section 302.309.3 RSMo.

The court now finds that

- ☐ Petitioner is no longer a participant in a DWI court in accordance with Section 302.309.3(9) RSMo.
- ☐ Petitioner, as a participant in a DWI court, failed to follow the orders of the DWI court in accordance with Section 302.309.3(9) RSMo.
- ☐ Petitioner violated a condition of the order granting limited driving privileges in accordance with Section 302.309 RSMo.

Therefore, the court orders that the Petitioner's limited driving privileges be terminated.

Clerk shall mail a certified copy of this Order to the Driver License Bureau, Department of Revenue.

#### So Ordered:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge





IN THE \_\_\_\_\_ JUDICIAL CIRCUIT COURT, \_\_\_\_\_, MISSOURI

Judge or Division:	Case Number:
Defendant's Name and Address:	DOB:
	Driver's License Number:

(Date File Stamp)

### Abuse and Lose-Order of Suspension/Revocation

The Court finds the defendant committed the following offense(s) on \_\_\_\_\_ (date):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<input type="checkbox"/> <b>The Court finds the defendant was under 21 years of age on the date of the violation(s).</b> (Complete this section only)  Pursuant to the provisions of Sections 577.500-577.530 RSMo, the Court orders that:  1. Any license to operate a motor vehicle in the possession of the defendant be surrendered to the Court and is enclosed with this order to be sent to the Department of Revenue.  2. Driving privileges of the defendant be suspended or revoked pursuant to Section 577.500.5 RSMo as determined by the Director of the Department of Revenue in reviewing the driving record of defendant for any prior abuse and lose actions.  3. The defendant shall successfully complete a substance abuse traffic offender program as defined in Section 577.001 RSMo.	<input type="checkbox"/> <b>The Court finds the defendant was 21 years of age or older on the date of the violation(s).</b> (Complete this section only)  Pursuant to the provisions of Sections 577.049 and 577.500-577.530 RSMo, the Court orders that:  1. Any license to operate a motor vehicle in the possession of the defendant be surrendered to the Court and is enclosed with this order to be sent to the Department of Revenue.  2. Driving privileges of the defendant be revoked for one year pursuant to Section 577.505 RSMo.  3. The defendant shall successfully complete a substance abuse traffic offender program as defined in Section 577.001 RSMo.
--	--

_____	_____
Date	Judge
I state that the above order is a true copy of the original as it appears on record in my office and that this copy was mailed to the Missouri Director of Revenue.	
Defendant's driver's license is enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No	
_____	_____
Date	Clerk

<h3>Supporting Information</h3> <p>If offense involves a municipal or county ordinance violation, complete the following:</p> <p>The defendant (check one):</p> <p><input type="checkbox"/> was represented by an attorney.</p> <p><input type="checkbox"/> waived in writing the right to an attorney.</p> <p><input type="checkbox"/> was not represented by an attorney and did not sign a written waiver.</p>
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IN THE \_\_\_\_\_ JUDICIAL CIRCUIT COURT, \_\_\_\_\_, MISSOURI

Judge or Division:	Case Number:
	Court ORI Number:
	Offense Date:
Defendant's/Juvenile's Name, Alias(es)/Address:	Date of Conviction/Adjudication:
	Birth Date:
	Driver's License Number:
	Offense Cycle Number (OCN):

(Date File Stamp)

**Abuse and Lose - Minor in Possession**  
**Order of Suspension/Revocation Pursuant to Sections 311.325 and 577.500.2 RSMo**

The Court finds beyond a reasonable doubt that the above-named defendant/juvenile violated Section 311.325.1, RSMo. In addition, the Court finds that the defendant/juvenile was over fifteen (15) and under twenty-one (21) years of age at the time of the violation. Pursuant to provisions of Sections 577.500.2 and 577.500.6 RSMo, the Court orders that:

1. The defendant/juvenile surrender any license to operate a motor vehicle, temporary instruction permit, intermediate driver's license, or any other driving privilege in his/her possession to the Court.
2. The driving privileges of the above-named defendant/juvenile be suspended or revoked, as determined by the Director of the Department of Revenue in reviewing the driving record of defendant/juvenile for any prior offenses as described in Section 311.325.1, RSMo.
3. The defendant/juvenile shall successfully complete a substance abuse traffic offender program as defined in Section 577.001 RSMo.

\_\_\_\_\_  
Date

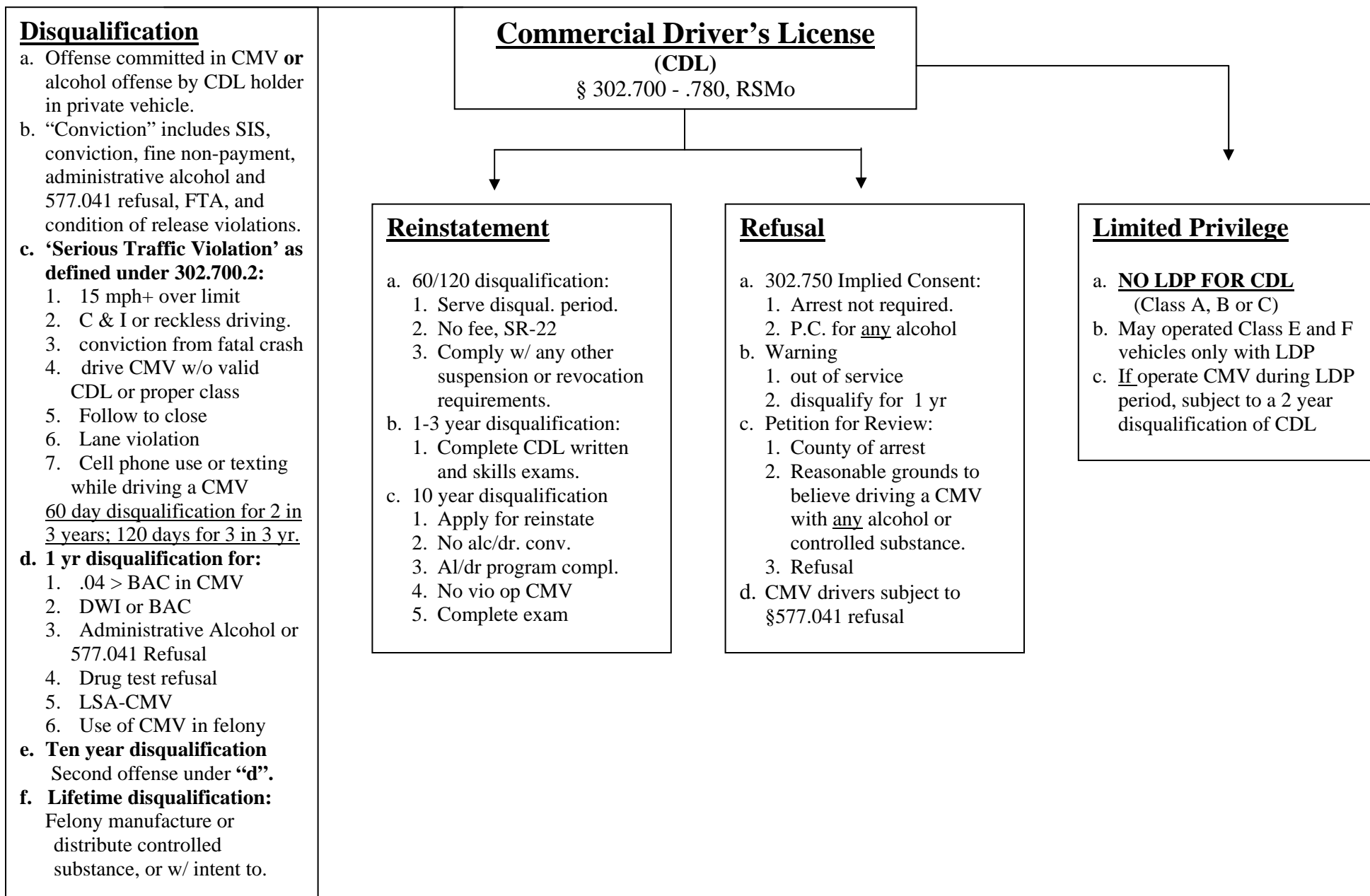
\_\_\_\_\_  
Judge

☐ Defendant's/Juvenile's driver's license/permit is enclosed with this Order.

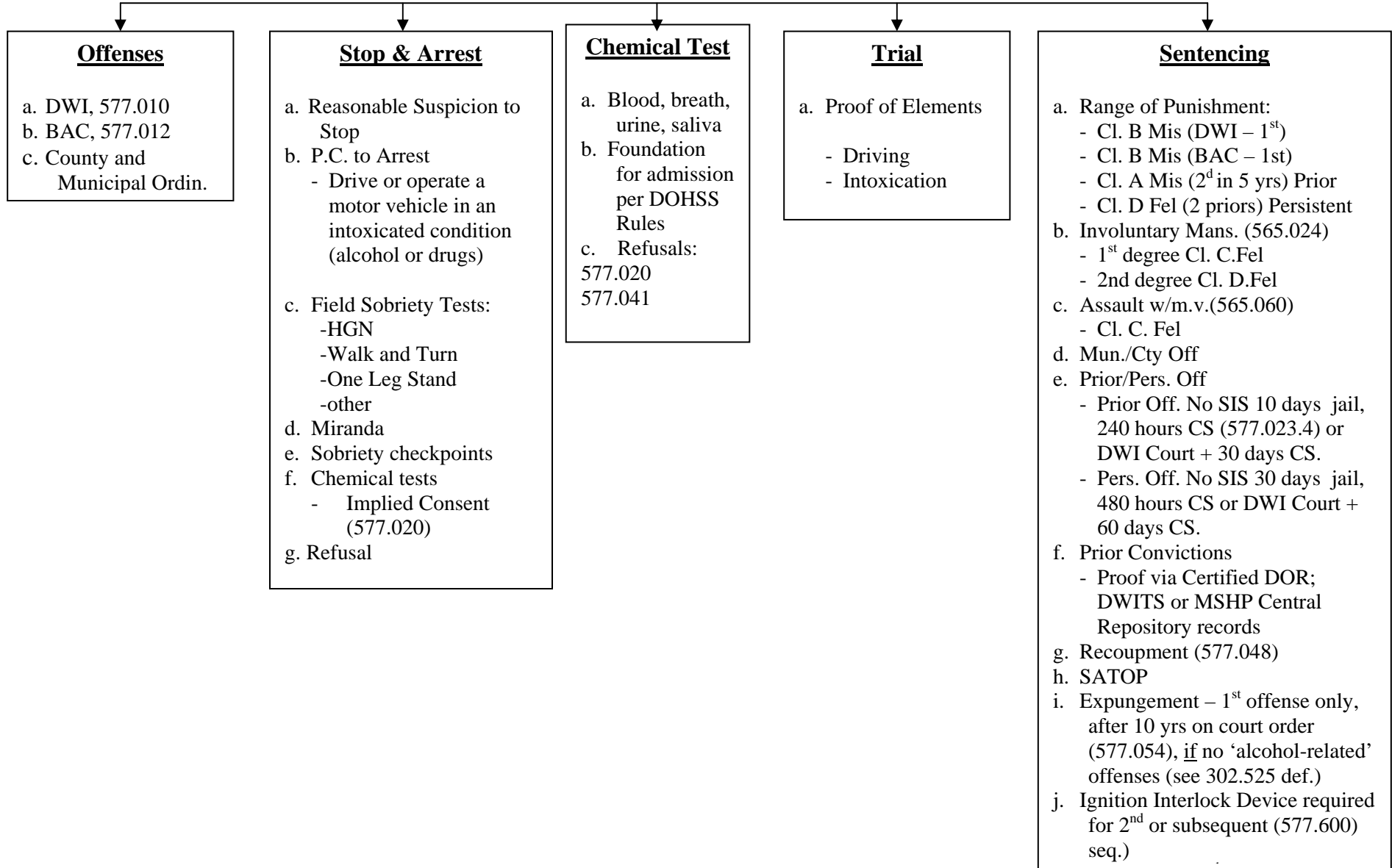
**Instructions to the Clerk**

Send a copy of the Order of Suspension/Revocation along with the defendant's/juvenile's driver's license/permit to the Department of Revenue at the time the Order is entered:

Department of Revenue  
Driver License Bureau  
P.O. Box 200  
Jefferson City, MO 65105-0200



# DWI



**ADMINISTRATIVE ALCOHOL**

§302.500 – .540, RSMo

P.C. to believe driving with BAC of .08 +  
(or .02 + minor)

**Arrest**

Probable Cause driving with .08  
or above BAC (.02 + for minors)

-can be developed after stop  
-must show traffic violation  
for minors

BAC of .08 or above (at time of  
test) (.02+ for minors)

**Appeal**

- a. Within 15 days
- b. Stays suspension
- c. DOR hearing either  
at regional location  
or by phone
- d. DOR records used  
(302.312)

**Trial De Novo**

- a. 15 days after date final  
DOR decision mailed
- b. In county of arrest
- c. No Stay, but may seek  
restricted privilege
- d. Bench trial
- e. Civil proceeding
- f. Burden of Proof on DOR
- g. Discovery – limited to  
information in DOR file
- h. Exclusionary Rule and  
5th Amendment do not  
apply (civil proceeding).
- i. Separate from criminal  
DWI citation

**Suspension or Revocation**

- a. 30 day 'hard walk'  
(if no prior w/in 5 years)
- b. 60 day restricted privilege  
(RDP) after 30 days
- c. Effective 10-01-13, may  
request RDP from day 16,  
with IID installation and  
otherwise eligible (1<sup>st</sup> AD)
- d. Effective 03-04-14, may  
request RDP from day "one"  
with IID installation and if  
otherwise eligible (1<sup>st</sup> AD)
- e. One-Year revocation if prior  
alcohol offense within prior  
five-year period.
- f. May seek limited driving  
privilege (LDP) after 45 day  
'hard walk' with IID  
installation and SR-22, if  
otherwise eligible.
- g. Reinstatement:
  - 1. SATOP; SR-22; \$45;  
IID, if prior alcohol

## Related Links

American Association of Motor Vehicle Administrators  
Case.net  
Federal Register Main Page  
FedLaw  
FMCSA - Federal Motor Carrier Safety Administration  
LII U.S. Code Home  
Missouri Code of State Regulations (CSR)  
Missouri Department of Revenue  
Missouri Register - 2013 Issues  
Missouri Revised Statutes  
National Center for State Courts  
NHTSA - National Highway Traffic Safety Administration  
Reference Center and General Government, on USA.gov  
THOMAS (Library of Congress)  
United States Code Main Page

<http://www.aamva.org>  
<http://www.courts.mo.gov/casenet/base/welcome.do>  
<http://www.gpoaccess.gov>  
<http://www.thecre.com/fedlaw/default.htm>  
<http://www.fmcsa.dot.gov>  
<http://www.law.cornell.edu/uscode>  
<http://www.sos.mo.gov/adrules/csr/csr.asp>  
<http://www.dor.mo.gov>  
<http://www.sos.mo.gov/adrules/moreg/moreg.asp>  
<http://www.moga.mo.gov>  
<http://www.ncsc.org>  
<http://www.nhtsa.dot.gov>  
<http://www.usa.gov>  
<http://thomas.loc.gov>  
<http://www.gpoaccess.gov>

<http://www.courts.mo.gov/page.jsp?id=590>